

Digitized by the Internet Archive  
in 2022 with funding from  
University of Toronto

<https://archive.org/details/31761115532293>







EA  
R21

Canadian League of Nations, Delegation to the  
191

DOMINION OF CANADA

REPORT

OF THE

CANADIAN DELEGATES

TO THE

EIGHTH ASSEMBLY OF THE  
LEAGUE OF NATIONS

SEPTEMBER 5 TO 27, 1927



OTTAWA  
F. A. ACLAND  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1928







CAT EA  
R21

DOMINION OF CANADA

REPORT

OF THE

CANADIAN DELEGATES

TO THE

EIGHTH ASSEMBLY OF THE  
LEAGUE OF NATIONS

---

SEPTEMBER 5 to 27, 1927



OTTAWA  
F. A. ACLAND  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1928





# REPORT OF THE CANADIAN DELEGATES

## TO THE

### EIGHTH ASSEMBLY OF THE LEAGUE OF NATIONS

---

*To His Excellency the Governor General in Council:*

The Eighth Ordinary Assembly of the League of Nations was held in Geneva in September, 1927, from September 5 to September 27.

#### ORGANIZATION

Forty-nine states members were represented. Bolivia, Honduras, and Peru were, as usual, not represented; Brazil and Spain, which gave notice of withdrawal from the League in 1926, did not send delegates; and the Argentine Republic, which has abstained since the Second Assembly, was not represented, though it is now making its contributions to the League. A German delegation was present for the first full session. The delegates to the Assembly included one president, two prime ministers, and twenty-one foreign ministers. Canada was represented by Hon. R. Dandurand, Leader of the Government in the Senate; Hon. C. Stewart, Minister of the Interior; O. D. Skelton, Under-Secretary of State for External Affairs; Hon. Philippe Roy, Commissioner-General of Canada in France; and W. A. Riddell, Canadian Advisory Officer, League of Nations.

The Assembly elected M. Guani of Uruguay as President, and the following as Vice-Presidents:—

M. Scialoja (Italy).

M. Briand (France).

Sir Austen Chamberlain (Great Britain).

M. Stresemann (Germany).

M. Nemours (Haiti).

Count Mensdorff-Pouilly-Dietrichstein (Austria).

Upon adoption of the agenda, the various questions were divided among the usual six committees through which the greater part of the work of the Assembly is done, and chairmen were elected as follows:—

First Committee, Legal and Constitutional Questions: M. Adatei (Japan).

Second Committee, Technical Organizations: R. Dandurand (Canada).

Third Committee, Reduction of Armaments: E. Benes (Czechoslovakia).

Fourth Committee, Budget and Financial Questions: W. J. M. van Eysinga (Netherlands).

Fifth Committee, Social and General Questions: C. J. Hambro (Norway).

Sixth Committee, Political Questions: J. Bech (Luxemburg).

The chairmen, in addition to presiding over the deliberations of their respective committees, are by virtue of their office Vice-Presidents of the Assembly, and form, along with the President and other Vice-Presidents, the General Committee of the Assembly.

The Canadian delegation was represented on the six committees as follows:

Hon. R. Dandurand, Second and Third.

Hon. C. Stewart, First and Fourth.

Dr. O. D. Skelton, First and Fifth.

Hon. Philippe Roy, Second and Sixth.

Dr. W. A. Riddell, Third and Fifth.

## PLENARY MEETINGS OF THE ASSEMBLY

### (a) *General Debate*

The Assembly held twenty-two plenary meetings. The opening sessions were devoted to a review of the work of the League during the past year and to discussion of proposals for future activity. In some respects the discussion corresponds to the debate on the Address in a Canadian Parliament. On the present occasion it was marked by an unusual degree of continuity and of direct reply, with a corresponding gain in frankness and reality. The discussion was shared in by representatives of every continent and covered a wide range, but the main interest was concentrated on criticisms of the slow progress of disarmament, proposals for reviving or modifying the principles of the Geneva Protocol, criticism and defence of the procedure of the Council or rather of the larger powers represented on the Council, support of the findings of the Economic Conference, and advocacy of a forward step in the codification of international law.

When the Assembly opened there was apparent a considerable measure of disappointment over the failure of the Preparatory Disarmament Commission of the League to attain unanimity in its spring meeting and the breakdown of the Geneva Conference for the Reduction of Naval Armament, though this latter was not a direct League responsibility. The Continental states which had supported the Geneva Protocol most enthusiastically were not reconciled to the view that the opposition particularly of Great Britain and the Dominions presented insurmountable obstacles to its revival. In addition there was some complaint among the smaller countries against an alleged tendency of the larger powers or Locarno group to settle matters in private conversations rather than in full Council or Assembly. All these views found vigorous expression in the opening days. The Foreign Minister of the Netherlands, Jonkheer Beelaerts van Blokland, urged the Assembly to take up again the study of the fundamental principles of the Geneva Protocol; the Polish delegation were known to be preparing a resolution for the outlawing of all wars; the Foreign Minister of Latvia protested against Europe's failure to reduce armaments; while the President of the Norwegian Chamber of Deputies, Mr. C. J. Hambro, speaking in English, criticized the growing tendency to send professional diplomats to Geneva as representatives, and the tendency of an inner circle within the Council to take the settlement of affairs into its hands. M. Motta, President of the Swiss Confederation, repeated the latter point.

Under these circumstances the speeches of the representatives of the Locarno powers attracted special attention. M. Briand protested his devotion to disarmament, and defended the settlement of questions at issue by private meetings as a means of eliminating unnecessary difficulties. He asserted the need of sanctions for the enforcement of League decisions, and referred to the recent judgment of the Permanent Court of International Justice in the *Lotus* case as an illustration of France's readiness to settle disputes by arbitration or judicial means rather than by force. Herr Stresemann denounced war as the parent of misery and anarchy, protested against the assumption that no steps could be taken towards disarmament until perfect security was attained, and announced



that Germany had decided to sign at once the Optional Clause of the Permanent Court, which provides for compulsory acceptance of arbitration in certain matters of law and fact. Sir Austen Chamberlain in a particularly vigorous address, after associating himself with M. Briand's defence of private conferences, answered the implication that Great Britain had taken no steps toward disarmament, had held back from arbitration, and had made no sacrifices to guarantee the security of other powers; challenged any other state to do as much as Britain had done in Locarno, and insisted that it would be impossible and would involve disrupting the British Empire to undertake further unlimited guarantees.

A warning from M. Politis, representative of Greece and one of the chief authors of the Protocol, against too great haste in endeavouring to force it through; a reminder by M. Scialoja of Italy, the only representative present who had taken part in the framing of the Covenant of the League, that over-anxiety to reinforce the Covenant by Assembly resolutions and similar proposals might weaken public faith in the authority of the Covenant itself; a resolution presented by M. Sokal of Poland, modified to denounce and renounce not all wars but merely wars of aggression; a strong endorsement of the work and findings of the Economic Conference by Sir Edward Hilton Young, of the British delegation; an appeal from Count Apponyi of Hungary that the former victors should disarm as had been promised when the defeated powers were forced to disarm; a defence by Sir George Pearce, leader of the Australian delegation, of voluntary as opposed to compulsory arbitration, whether in labour disputes or in international disputes; and a plea from Senator Dandurand for tolerance toward minorities as a means of effecting moral disarmament and genuine security, along with a reference to Canada's previous announcement that it was in sympathy with arbitration though opposed to the Protocol; these were among the more significant features of the remainder of the debate. The various proposals made and modified in the course of the debate, as well as the original agenda, were then referred to the appropriate committees for more detailed consideration.

### (b) *Election of the Council*

The Council, which has become practically the executive organ of the League, consists, since the reorganization effected in 1926, of five permanent members (Great Britain, France, Italy, Japan, and Germany) and nine temporary members, three being elected each year for a three-year term. Further to ensure a reasonable measure of rotation, it was provided that a retiring member should not be eligible for re-election for three years, unless the Assembly specifically declared it re-eligible by a two-thirds vote.

The 1927 Assembly was the first in which the new system was fully applied. The retiring states were Belgium, Salvador, and Czechoslovakia. Belgium announced its wish to have a vote taken on its re-eligibility. Respect for the distinctive part Belgium had played in the Council ever since the League had been established was countered in some degree by the belief that on this first test it was desirable to insist on the principle of rotation adopted last year after long debate. The vote in favour of re-eligibility was 29 to 19, but the requisite two-thirds majority was lacking. Belgium's good League spirit was at once made evident in a statement by its Foreign Secretary, M. Vandervelde, recognizing that the vote had been based on questions of principle, and assuring the League of Belgium's continued strong support.

For the three vacant seats there were half a dozen serious candidates. In accordance with instructions from the Canadian Government, the delegation announced Canada's candidacy. It was felt that Canada, sufficiently detached from European complications to be impartial and sufficiently in touch to be interested, might contribute something of value to the work of the Council; and

that the Dominions and India, contributing more than one-seventh of the League's revenues, constituted a group from which representation might reasonably be selected. When the Covenant of the League was being drafted, during the Peace Conference in Paris, Sir Robert Borden had secured from the "Big Three" a definite statement that in their view the Dominions were eligible for a Council seat.<sup>1</sup> During the Assembly of September, 1926, Sir George Foster, speaking for the Dominions and India, stated: "So far as my country and the other members of the British overseas countries are concerned, we have not hitherto made and are not now making any claim for a seat on the Council of the League. But it is pertinent, and I think it is right at this stage to say to this Assembly and to the League itself, that we consider that we have equal rights to representation on the Council and otherwise with every one of the fifty-six members of the League of Nations, and that we do not propose to waive that right." The Irish Free State, on the same occasion, announced its candidacy at the last moment, not anticipating election but desiring to establish the principle. By 1927 it had become apparent that unless the principle was definitely asserted, a rotation would become stereotyped from which the Dominions would be excluded. The announcement of Canada's intention received support from all the other British Commonwealth members and from many other quarters in Europe, Asia and Latin America, though the competing claims of other states and some surviving misapprehensions as to the relation between the members of the Commonwealth operated in the contrary direction. The vote resulted in the election of Cuba, which had been selected as the Latin-American representative, Finland, as a Northern European state, and Canada, with Greece and Portugal following in that order.

The selection of Canada is to be regarded as an evidence of trust and goodwill on the part of the other member states and a definite answer to the doubts expressed some years ago as to whether all seven members of the Commonwealth represented in the League could be full-fledged and equal members. It also involves increased responsibilities during the three-year term of office: representation on the quarterly Council meetings, representation on the Preparatory Disarmament Commission and certain standing organizations such as the Permanent Advisory Committee as well as on temporary committees, with a consequent greater need of preparation and study of the problems which come before the Council and Assembly for decision.

After Canada's election, Senator Dandurand took his place in the Forty-Seventh Session of the Council, in which differences between Rumania and Hungary over expropriation of estates in the territories ceded by Hungary to Rumania, between Poland and the Free City of Danzig as to the status of the Westerplatte peninsula and the right of Poland to maintain a munitions depot on it, and between Greece and Germany as to delivery of the cruiser *Salamis*, were discussed, and steps also taken to execute the decisions of the Assembly.

<sup>1</sup> "The question having been raised as to the meaning of Article IV of the League of Nations Covenant, we have been requested by Sir Robert Borden to state whether we concur in his view, that upon the true construction of the first and second paragraphs of that Article, representatives of the self-governing Dominions of the British Empire may be selected or named as members of the Council. We have no hesitation in expressing our entire concurrence in this view. If there were any doubt it would be entirely removed by the fact that the Articles of the Covenant are not subject to a narrow or technical construction.

"Dated at the Quai d'Orsay, Paris, the sixth day of May, 1919.

"(Signed) G. CLEMENCEAU  
WOODROW WILSON  
D. LLOYD GEORGE"



## FIRST COMMITTEE

### (a) *Progressive Codification of International Law*

The chief question before the First Committee was the progressive codification of international law. It is a question at once difficult and important. The establishment of international tribunals has progressed more rapidly than agreement upon the principles and rules of law which these tribunals are to apply. Over a century ago the first proposals for codifying international law came from Great Britain, a country which in general has been somewhat reluctant in codifying its domestic law. In the generation preceding the war, a considerable measure of progress was made in special fields by diplomatic conferences, but the progress was spasmodic and uncertain. The establishment of the League of Nations made it appear that a more systematic and continuous effort could be made through this agency. In 1924 the Assembly of the League adopted the proposal of the Swedish delegation that steps should be taken to inquire into the possibility of progressive codification. A committee of experts was duly appointed, and interim reports made to the Council.

The First Committee came to the conclusion that the time was ripe for proceeding with the codification of a limited number of fields, and that the effort should be made under the auspices of the League, rather than of the Netherlands Government, as had been suggested in some quarters. Three subjects were selected for immediate consideration; first, nationality, including the tangled questions of double nationality and statelessness and the effect of marriage and widowhood upon the national status of women; second, territorial waters, including such phases as the width of the coastal zone, the territorial character of bays and straits, and differentiation of jurisdiction according to the object sought; and third, the responsibility of states for damage done in their territory to the person or property of foreigners. A further question, the regulation of the exploitation of the resources of the ocean, particularly whaling, was referred to the Economic Committee of the League for preliminary inquiry.

The First Committee proposed, and the Assembly agreed, that an International Conference should be held, probably in 1929, to draw up a convention covering the three subjects noted, and that a small Preparatory Committee should be set up to prepare a detailed agenda and secure the views of the members of the League. The Council has since appointed a committee of five members. The United States Department of State has indicated its intention to accept the League's invitation to participate in the Conference. If this preliminary effort is successful, further subjects will be brought under review and gradually agreement and a firm basis for arbitral procedure attained throughout the whole range of international law.

### (b) *Nansen Arbitration Proposal*

Consideration was given, in conjunction with the Third Committee, to the arbitration proposal submitted by Dr. Nansen.

### (c) *Adhesion to Treaties*

The First Committee also debated the more technical question whether the innovation in treaty procedure adopted in connection with certain treaties drafted under the auspices of the League, of giving adhesions subject to ratification, should be endorsed. The committee considered it should not be ruled out, but held that unless specifically stated to the contrary, adhesions should be assumed to be final.

## SECOND COMMITTEE

*Economic Conference*

The most important question before the Second Committee was the report of the Economic Conference held at Geneva in the previous May. General agreement was expressed with the recommendations of the Conference, which was a body of experts not in any way binding the governments of the countries from which they came. Particular emphasis was laid upon the recommendations against tariff increases and tariff instability, against import and export restrictions and prohibitions, and in favour of uniformity of customs nomenclature—an important point in the operation of the most favoured nation clause in commercial treaties—as well as on the approval of rationalization and of arbitral awards in commercial cases. In the Assembly discussion M. Loucheur and Herr Stresemann both stated that the work of the Conference was in large measure responsible for the conclusion of the recent Franco-German commercial treaty, the first negotiated in sixty years, and Major Elliott called attention to the fact that Great Britain had one of the lowest tariffs in the world, 98 per cent of her imports entering free. The Committee, and subsequently the Assembly, recommended the resolutions of the Economic Conference to the favourable consideration of all governments.

The increasing importance of economic questions in the League's activities led to proposals for a radical re-organization of the existing machinery for dealing with them. A compromise solution was reached, in the retention of the existing Economic Committee of some fifteen members, meeting quarterly, and the setting up of a Consultative Committee of thirty-five members, meeting once a year, and including representatives of the International Labour Office, the International Chamber of Commerce, and the International Institute of Agriculture.

A Finnish proposal to include investigations into alcoholism in the League's activities, and to adopt the International Bureau against Alcoholism of Lausanne as a League agency, met with some support but more opposition; the view expressed in the previous Assembly as to the doubtful expediency of the League scattering its efforts over subjects not clearly within its province found an echo in this connection. General agreement was, however, expressed that some phases of the question were within the competence of the League, and it was finally agreed to place on the agenda of the Ninth Assembly an amended resolution, calling for the appointment of a committee of experts on alcoholism, to study such aspects as came within the competence of the League and could be the subject of scientific or practical work.

A proposal, arising from the Third General Conference on Communications and Transit, held in Geneva in August, to establish an information centre for collecting and tabulating data on transportation, was approved by the Committee, but postponed on financial grounds.

A phase of transportation affecting the League itself was considered. The necessity of rapid communication in the event of a crisis led to recommendations for setting up a League wireless station at Geneva and for providing aeroplane service for the members of the Council in case of an emergency meeting such as dealt with the Greco-Bulgarian crisis in 1925.

The refugee settlement schemes in Greece and Bulgaria, the success of the League's aid in rehabilitating the finances of Estonia and the possibility of similar assistance to Bulgaria, and the extension of the activities of the Health Section to South America, were other questions before the Committee, illustrating the practical and constructive scope of the League's activities.



### THIRD COMMITTEE

#### *Reduction of Armaments*

To this committee fell the most important task of the Assembly, a solution of the conflicting views as to the next step in the campaign for disarmament.

The Polish resolution against wars of aggression; the Dutch resolution calling for restudy of the principles of disarmament, security and arbitration; a French resolution on the same lines but more detailed, put forward by the unfaltering champion of the Protocol, M. Paul Boncour; a Finnish proposal for financial guarantees to the victim of aggression, and a Norwegian proposal for study of a comprehensive plan of judicial settlement of legal disputes and conciliation in other disputes, provided the subject-matter of the Committee's discussion.

The points of view from which the subject was approached were equally varied. The champions of the Protocol, including the majority of European states and particularly the victors or offspring of the Great War, emphasized as the end, peace on the basis of the status quo, and as the means, "security". Disarmament could come only if states could be assured that a substitute for their own armed force could be found in firm guarantees by other powers to come to the aid of the victim of aggression or disturbance of the status quo; and aggression could be determined only by setting up an elaborate machinery of arbitration which would ensure that if war came, the party which rejected this means of settlement would stand branded as the aggressor, whereupon all the guaranteeing powers would automatically be called upon to apply economic or military pressure against the outlaw: thus disarmament through security, and security through arbitration backed by sanctions or guarantees. The German view was that disarmament must precede security; that armaments bred rivalry and fear, and that if the guarantees of the Covenant and of Locarno did not yield France and Belgium sufficient security against a disarmed Germany, no heaping up of further guarantees could give this unattainable perfection of security. The Scandinavians emphasized arbitration, not as a test of aggression and a means of ensuring that if war came all other states would band against the aggressor, but in order to prevent war and remove its occasions. The British stood against any further general guarantees or general commitment to arbitration, and emphasized the necessity of other powers being given an opportunity to offer limited regional guarantees such as they had undertaken on the western borders of Germany.

Out of these conflicting views, patience and goodwill brought a remarkable degree of agreement. The Committee first dealt with several minor issues: the necessity of keeping the development of civil aviation distinct from that of military aviation; measures to facilitate rapid meeting of the Council in time of crisis; and the desirability of further sympathetic study of the Finnish proposal for financial aid to states victims of aggression. On the major issue it recognized in a measure the need of pooled security as a basis of disarmament, urged the early reassembling of the Preparatory Commission for the Disarmament Conference, provided for establishment by the Commission of a special committee on arbitration and security, and set forth as means to the desired end, first, action by the League in promoting special or general agreements on arbitration and security; second, a further exploration of the obligations and consequent procedure of the Covenant as it stood; third, regional agreements for mutual aid; and fourth, the giving to all members of the League an opportunity to state precisely what aid, if any, they could give, over and above the obligations of the Covenant, in the event of a conflict breaking out in a given region.

The main resolution in full ran as follows:—

RESOLUTION No. V.

The Assembly,

Noting the progress achieved in the technical sphere by the Preparatory Disarmament Commission and by the Committee of the Council towards enabling the Council to be rapidly convened and to take decisions in case of emergency;

Being anxious to bring about the political conditions calculated to assure the success of the work of disarmament;

Being convinced that the principal condition of this success is that every State should be sure of not having to provide unaided for its security by means of its own armaments and should be able to rely also on the organized collective action of the League of Nations;

Affirming that such action should aim *chiefly* at forestalling or arresting any resort to war and *if need be* at effectively protecting any State victim of an aggression;

Being convinced that the burdens which may thereby be imposed on the different States will be the more readily accepted by them in proportion as

(a) They are shared in practice by a greater number of States;

(b) The individual obligations of States have been more clearly defined and limited:

1. Recommends the progressive extension of arbitration by means of special or collective agreements, including agreements between States members and non-members of the League of Nations, so as to extend to all countries the mutual confidence essential to the complete success of the Conference on the Limitation and Reduction of Armaments;

2. Recalls its resolution of September 24, 1926, which reads as follows:—

“Being desirous that the investigations, in regard to which the Assembly itself took the initiative in its resolution of September 25, 1925, should be brought to a successful conclusion as soon as possible, it requests the Council to call upon the Preparatory Commission to take steps to hasten the completion of the technical work and thus be able to draw up, at the beginning of next year, the program for a Conference on the Limitation and Reduction of Armaments corresponding to existing conditions in regard to regional and general security, and it asks the Council to convene this Conference before the eighth ordinary session of the Assembly, unless material difficulties render this impossible.”

Accordingly requests the Council to urge the Preparatory Commission to hasten the completion of its technical work and to convene the Conference on the Limitation and Reduction of Armaments immediately this work has been completed;

3. Requests the Council to give the Preparatory Commission, whose task will not be confined to the preparation of an initial conference on the limitation and reduction of armaments, and whose work must continue until the final goal has been achieved, the necessary instructions for the creation without delay of a committee consisting of representatives of all the States which have seats on the Commission and are members of the League of Nations, other States represented on the Commission being invited to sit on it if they so desire.

This committee would be placed at the Commission's disposal and its duty would be to consider, on the lines indicated by the Commission, the measures capable of giving all States the guarantees of arbitration and security necessary to enable them to fix the level of their armaments at the lowest possible figures in an international disarmament agreement.

The Assembly considers that these measures should be sought:

In action by the League of Nations with a view to promoting, generalizing, and coordinating special or collective agreements on arbitration and security;

In the systematic preparation of the machinery to be employed by the organs of the League of Nations with a view to enabling the members of the League to perform their obligations under the various articles of the Covenant;

In agreements which the States members of the League may conclude among themselves, irrespective of their obligations under the Covenant, with a view to making their commitments proportionate to the degree of solidarity of a geographical or other nature existing between them and other States;

And, further, in an invitation from the Council to the several States to inform it of the measures which they would be prepared to take, irrespective of their obligations under the Covenant, to support the Council's decisions or recommendations in the event of a conflict breaking out in a given region, each State indicating that, in a particular case, either all its forces, or a certain part of its military, naval or air forces, could forthwith intervene in the conflict to support the Council's decisions or recommendations.

It remains to be seen how far the Preparatory Commission and its Security Sub-committee can develop this modified and more flexible version of the doctrine of the linking of disarmament with security and arbitration into a practical and acceptable working plan.



## FOURTH COMMITTEE

*Budget Questions*

The Finance or Budget Committee found itself faced by several difficult problems.

First came the question of the adequacy of the annual appropriations for the support of the League, the International Labour Organization and the Permanent Court of International Justice. The work of the League is growing much faster than its revenues. The nations of the world contribute less in a year for the maintenance of the body which is the chief bulwark against another world catastrophe than they spent on destruction in a single morning or afternoon in the later years of the World War. Yet the feeling of the Assembly as a whole and particularly of the Fourth Committee has been that a tight rein should be kept upon expenditure and the necessity of any fresh enterprise amply proved before being sanctioned. The total budget was accordingly set at 25,333,817 gold francs, or approximately \$4,890,000; this sum is about \$150,000 more than the budget of the previous year. This total was later reduced by \$160,000, representing half the surplus of the preceding year, and a further sum of \$280,000 has been taken from the Building Fund to reimburse those States which had been contributing to the League's maintenance before 1926, thus ensuring an even distribution of the burdens between new and old members, and between those in arrears and those in good standing. With these adjustments, Canada's net contribution for 1928 amounts to slightly less than \$156,000.

The question of arrears in payments received its annual share of consideration. The chief debit entry is that against China, but in view of civil war and financial chaos it was apparent that no immediate improvement could be expected. The remaining arrears are for minor amounts, and chiefly in the case of some of the smaller Latin-American States.

A conflict of views on two appropriations raised in acute form the question whether the opinion of the Committee concerned with the general policy of a certain proposed expenditure or the opinion of the Fourth Committee is to prevail in case of difference. Recommendations from the Second Committee for a Transportation Information Bureau and from the First Committee in connection with further researches into international law codification were disallowed by the Fourth Committee. The first conflict was solved by a joint conference in which it was agreed to postpone the credit for this year at least; the second came before the Assembly, which proved evenly divided, and was finally settled by a proposal of the Secretary General that the Council might transfer funds for this purpose from any unexpended remainder.

*The New League Building*

The chief financial question of the year, however, was how to ensure the construction of the new League building. The Assembly at present meets in a badly-planned and badly-ventilated hall on one side of Lake Geneva and the Secretariat, or Civil Service of the League, and the committees work in what was formerly a hotel on the other side of the lake. Proposals for constructing an adequate building have accordingly been under consideration for several years; an excellent site beyond the present Secretariat, and incidentally within convenient distance from the quarters of the Canadian Advisory Officer, has been acquired, and an international architectural competition held. Unfortunately, between the limitation of funds and the excess of competitors, the jury of architects was unable to pronounce any single plan adequate: nine plans of first merit, nine of second, and nine of third were indicated, and the problem passed on

to the Assembly. It was agreed, after much consideration, to increase the maximum outlay authorized from 13,500,000 francs to 19,500,000, or approximately \$3,760,000, and to empower a committee of five laymen to select one plan, or rather one architect, and proceed with the work. Announcement was made at the same time of the gift of \$2,000,000 by John D. Rockefeller, Jr., for library purposes, preferably half for building and half for endowment; with the construction of a separate Library, the main building fund will come nearer to providing adequate housing for the League's other activities.

## FIFTH COMMITTEE

The Fifth Committee dealt as usual with the social or humanitarian questions of international interest included in the League's activities.

### *Traffic in Narcotics*

The traffic in opium and narcotics generally received much attention. First came the question of tackling the problem at the source by restricting poppy growing. India had undertaken a ten per cent annual reduction; China was unfortunately not in a position to cope with the question because of internal chaos, but Persia, the third great source, had expressed its willingness to make a beginning if the economic difficulties of the shift to other crops could be met. Accordingly a League Commission had made an investigation, suggesting possible lines of action, and the Persian Government agreed to undertake a ten per cent per annum restriction, after three years of preparation in improving the country's internal economic position and agricultural methods, subject to review of the whole situation in six years. Next was the question of the ratification of the Opium Convention and of the observance of existing State obligations. It was pointed out that ratifications had been slow in coming, but hope was expressed that a sufficient number would be secured within the coming year to bring the Convention into effect; the Canadian representative intimated that the Canadian Government proposed to submit the Convention for ratification at the next session of Parliament. Attention was called in the Committee, and later by Lord Lytton of the Indian delegation in the Assembly, to the fact that the governments of some narcotic manufacturing countries which had agreed to adopt the import and export certificate system, which requires a certificate from the Government of the importing country that the drug is needed for legitimate purposes, had failed to carry out their obligations effectively in this respect; as there were only thirty factories or so in the world where narcotic drugs were manufactured, supervision of the export traffic was not difficult if the will was present. The probable ratification of the Convention made it necessary to provide for the Permanent Central Board, which is to supervise the reports made by the parties to the Convention as to the international trade in narcotic drugs. The discussion turned largely on whether the members should be paid: the Committee recommended, and the Assembly agreed, that the tradition of gratuitous services by members of League boards of review should be maintained.

### *Traffic in Women and Children*

The recent report of a special League Committee on the Traffic in Women, and Children came up for review. As the publication of the second part of the report, dealing with conditions in specific countries, had not then been authorized—the issue of this part has since been determined—the discussion dealt mainly with general questions, and particularly the possibility of suppressing



licensed houses of prostitution, which had been shown to be an essential factor in the international "white slave" traffic. The representative of Hungary declared that licensed houses had been abolished there; the Rumanian, that it was anticipated this end would be reached within a year; and the German, that licensed houses would be abolished after October 1, 1927, "except in the area occupied by Allied troops". The French delegate intimated that there was some doubt as to the measure of success actually attained in the abolitionist countries. The Canadian representative stated that abolition had been an accepted success from both hygienic and moral standpoints.

### *Child Welfare*

The more constructive side of the League's interest was instanced in the discussion of the report of the Child Welfare Committee. A year ago the Council criticized the programme of work outlined by this committee, on the ground that some of the questions proposed for study appeared to be of national rather than international concern. The Seventh Assembly agreed generally with the conclusions of the Council, and the Child Welfare Committee had therefore, as the rapporteur pointed out, "endeavoured to make a judicious choice of the questions to be placed on its agenda, in order to concentrate its attention on the problems whose study and solution are of practical value to governments". It had decided in particular to pursue the inquiry into the effects produced on children by the cinematograph and, in collaboration with the International Labour Office, the inquiry into the effects of family allowances on the welfare of children, and to study the position of the illegitimate child in the various countries. It had also decided to retain on its agenda the question of blind children and the question of mental and physical recreation. The representatives of Canada, Great Britain, South Africa, Belgium, Italy, and Norway commented favourably on its report.

## SIXTH COMMITTEE

Slavery, which, as many people first realized from the League's inquiries of the past three years, still prevails in open form in one Christian country, Abyssinia, and several Mahommedan countries, and in disguised or modified form in other states, was the first subject on the Sixth Committee's agenda. It was noted that reports on progress in abolishing slavery had been received from Burma, Abyssinia, Portugal, and the Sudan, but that the majority of members of the League had not yet ratified the Convention drafted last year. At a later stage a British representative announced that the Legislature of the Sierra Leone Protectorate had passed the first reading of a law to end the surprising legal recognition of slavery in that territory implied in a recent court judgment.

Mandates proved of interest as usual. The friction which had existed earlier in the year between the Permanent Mandates Commission and several of the mandatory powers over what the latter were inclined to consider the unduly inquisitorial character of the Commission's inquiries appeared to have been lessened. The Dominions were much to the fore in the discussion, between New Zealand's troubles with its wards in Western Samoa and South Africa's contention as to possessing "sovereignty" over the mandated territory which was formerly German Southwest Africa. Note was taken of the Council's action in appointing a German member to the Mandates Commission, and further regulation of the liquor traffic in the B and C mandated areas was urged.

A report on the Conference of Press Experts held in Geneva during the past summer, in which the press of Canada was represented by Hon. Frank Carrel, led to support of the proposals to facilitate execution of the Conference's recommendations on press telegraph and telephone rates, the improvement of communications, visas and identity cards for journalists, and other matters. An incidental discussion arose as to the alleged propaganda character of the work of certain European news gathering agencies.

The final subject on the Committee's agenda was a Norwegian resolution urging the adoption of proportional representation in the form of the single transferable vote, in connection with the election of the non-permanent members of the Council. The discussion revealed an increasing measure of support for the proposal, but the majority of the Committee concluded that it was advisable to give the present system of election a further trial.

The recommendations of the various committees were adopted by the Assembly in plenary sessions without substantial change, and the Eighth Assembly came to a close on September 26.

RAOUL DANDURAND,  
CHARLES STEWART,  
O. D. SKELTON,  
PHILIPPE ROY,  
W. A. RIDDELL.















EA  
R21

DOMINION OF CANADA

REPORT  
OF THE  
CANADIAN DELEGATES  
TO THE  
NINTH ASSEMBLY OF THE  
LEAGUE OF NATIONS

---

SEPTEMBER 3 to 26, 1928



OTTAWA  
F. A. ACLAND  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1928

*Price, 25 cents.*



DOMINION OF CANADA

REPORT  
OF THE  
CANADIAN DELEGATES  
TO THE  
NINTH ASSEMBLY OF THE  
LEAGUE OF NATIONS

---

SEPTEMBER 3 to 26, 1928



OTTAWA  
F. A. ACLAND  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1929





# REPORT OF THE CANADIAN DELEGATES

## TO THE

### NINTH ASSEMBLY OF THE LEAGUE OF NATIONS

---

*To His Excellency the Governor General in Council:*

The Ninth Ordinary Session of the Assembly of the League of Nations was held in Geneva from September 3 to September 26, 1928.

#### ORGANIZATION

Delegates from fifty States were present, the increase of one over the number represented at the preceding Assembly being due to the decision of Spain, which had given notice of withdrawal from the League in September, 1926, to continue as a member. No representatives were in attendance from Brazil, Bolivia, Honduras and Peru, but Argentina sent an observer. Notification of the re-entry of Costa Rica to the League was received during the closing days of the Assembly, and a definite decision on the part of Argentina to withdraw from membership in the League was registered at the same time.

The value attached to the annual meeting at Geneva by the Governments of the States Members is evidenced by the composition of the various delegations, there being present four prime ministers, two chancellors, and no less than sixteen foreign ministers. Both Sir Austen Chamberlain and Dr. Stresemann were unfortunately unable to be present, owing to illness.

Canada's delegation was headed by the Prime Minister and Secretary of State for External Affairs, the Right Hon. W. L. Mackenzie King; the other delegates were the Hon. Raoul Dandurand, Leader of the Government in the Senate, and the Hon. Charles A. Dunning, Minister of Railways and Canals; while O. D. Skelton, Under-Secretary of State for External Affairs; the Hon. Phillippe Roy, Commissioner General of Canada in Paris; and W. A. Riddell, Dominion of Canada Advisory Officer accredited to the League of Nations, acted as substitute delegates.

The election of the President of the Assembly, the six Vice-Presidents, and the chairman of the six committees, who together constitute the General Committee of the Assembly, resulted as follows:—

#### *President*

M. Herluf Zahle (Denmark)

#### *Vice-Presidents*

M. Adatci (Japan).

M. Briand (France).

M. Müller (Germany).

Lord Cushendun (Great Britain)

Mr. Mackenzie King (Canada).

Mgr. Seipel (Austria).

### *Chairmen of the Committees*

First Committee (Legal and Constitutional Questions):  
M. Scialoja (Italy).

Second Committee (Technical Organizations):  
M. Motta (Switzerland).

Third Committee (Reduction of Armaments):  
M. Carton de Wiart (Belgium).

Fourth Committee (Budget and Financial Questions):  
M. de Vasconcellos (Portugal).

Fifth Committee (Social and Humanitarian Questions):  
M. Matos (Guatemala).

Sixth Committee (Political Questions):  
M. Marinkovitch (Kingdom of the Serbs, Croats and Slovenes).

The Canadian delegation was represented on the six committees as follows:—

Hon. R. Dandurand—First and Fifth.

Hon. C. A. Dunning—Second and Third.

Hon. Philippe Roy—Second and Fourth.

Dr. O. D. Skelton—First and Fourth.

Dr. W. A. Riddell—Third and Sixth.

## PLENARY MEETINGS OF THE ASSEMBLY

### *General Debate*

The Reformation Hall at Geneva filled with delegates from fifty countries, an audience occupying every available seat, and the President of the Assembly vainly begging someone to mount the rostrum to initiate the general debate—such was the unusual spectacle offered at Geneva by the first session of the Ninth Assembly after the preliminaries of election had been carried out. If, however, at the first plenary meeting the delegates were timid about addressing the Assembly, once the debate was under way there was no dearth of speakers to discuss candidly and critically the accomplishments of the Geneva organization since the last Assembly. Indeed nineteen plenary sessions, eight of which were devoted to the general debate, were necessary before this discussion had ended.

The subjects principally considered by this Assembly of Frankness, as it has been termed, were the recently concluded Pact to outlaw war, the problem of minorities, the economic work of the League, and the question of disarmament.

Coming as it did within a week of the historic ceremony in Paris it was only natural that the general debate should devote considerable attention to the Briand-Kellogg Pact to outlaw war. The Prime Minister of Canada interpreted it as an endeavour to develop and focus world opinion against war, and declared that its value lay in the brevity and simplicity of its terms, while practically all the other speakers greeted the Pact as a triumph for the cause of peace. Reference was also made to it in the discussions of the First and Third Committees.

---

M. Beelaerts van Blokland (Netherlands) invited the views of his colleagues on the institution of a permanent Minorities Committee, similar to that for Mandates, by which the Council should be relieved of the work of handling minorities questions. M. Zaleski (Poland) could see no necessity for establishing such a committee, but agreed that if all members were prepared to sign a Convention



with a view to generalizing the principle of the protection of minorities, the plan would not be open to any objection. M. Motta (Switzerland) stated that his delegation would follow with great sympathy the suggestion of M. Beelaerts van Blokland, but M. Osusky (Czechoslovakia) thought that difficulties might be created unless the proposal should deal with minorities in all countries.

---

In the economic field, the Conference for the Abolition of Import and Export Prohibitions and Restrictions and the Conference on the Trade in Hides, Skins and Bones were referred to by numerous speakers. M. Voldemaras (Lithuania) considered that nations which devoted all their effort to their economic development were, even from a military point of view, much stronger than others; hence any work which the League was doing in connection with economic problems was work for peace.

Though several speakers referred favourably to the work of the Economic Conference as arresting the upward trend of tariffs, disagreement with some of its recommendations in this regard was recorded by the Irish Free State representative, because they were worded in such a way as to summon all countries to move in the direction of a reduction, without considering whether their tariffs were already low or excessively high. This showed that the Conference had not borne sufficiently in mind the difference between countries in a high stage of industrial development and countries at the beginning of their industrial growth. In similar vein, Mr. McLachlan (Australia) considered it dangerous and hazardous for the League to concern itself actively with the questions of customs tariffs, for they were regarded by the constituent nations as so much a part of their national policy that it was inconceivable that the League should make any direct representation on the subject of the nature of tariffs. The only possibility before the League was, therefore, the holding of international conferences on the height and incidence of tariffs on given commodities or groups of commodities. He felt that the time had not yet come for the League to enter this field. The collection of information and the promotion of a clearer knowledge of the progress of commerce, industry and agriculture, however, met with the whole-hearted approval of the Australian delegation.

M. Belloni, referring to the Italian viewpoint and what had already been accomplished, said that the League should concentrate its efforts upon a study of the principles and general problems of economic policy, but should refrain from intervening in questions, the effect of which on the world economic position in general was only partial or contingent. He considered it dangerous for the League to cling to the illusion that the high moral authority attaching to recommendations made by the economic organizations sufficed in all cases to secure success in a field where resolutions adopted by the League must, on the whole, be applied by private organizations or by individuals. M. Mowinkel (Norway) informed the Assembly that the Norwegian reservation to the Convention on Export and Import Prohibitions and Restrictions had been dropped.

---

Regret and disappointment were expressed in very frank terms by numerous speakers on the lack of progress being made with the problem of disarmament. M. Uden (Sweden) pointed out that every year fresh obstacles seemed to arise and that, if the Preparatory Commission for the Disarmament Conference did not very shortly produce tangible results, public opinion would feel that, in spite of the Covenant, in spite of the Locarno and Briand-Kellogg Pacts, the sense of security was not yet sufficiently developed to enable the first steps to be taken in the direction of disarmament. A suspicion would naturally follow that the Governments of the Great Powers did not attach any real value to their solemn engagements.

Opinions of a similar nature were expressed by other speakers, but the main interest centered on the speeches of the Austrian and German delegates on the one hand, and the French and British on the other. The burden of Mgr. Seipel's remarks was that the method of dealing with the question had shown the inadequacy of the means at the disposal of the League. The Peace Treaties, which had forced some countries to disarm, had also promised general disarmament; owing, however, to the great development of the technical resources available for fighting, the general state of armaments was at the present time much more formidable than that which existed before the war, and this constituted a permanent danger. He would ask the Assembly not to be satisfied with dilatory resolutions, but to take a step forward, so that the prestige of the League would not be lowered.

The German Chancellor, Herr Müller, protested that, although the Preparatory Commission had been meeting for nearly three years, it had not yet been possible to tackle seriously the work assigned to it. He pointed out that a disarmed Germany was particularly affected by any discussion on disarmament; that the German people were often reproached, on the slightest pretext, with threatening the peace of the world while other nations continued to increase their armaments without opposition or hindrance. He pleaded that the nations fulfill the promises made when it had been agreed that the disarmament of Germany should be followed by a general disarmament, and he urged the Assembly to decide definitely to convene a Disarmament Conference to complete the work of the Preparatory Commission.

To the two preceding speeches both M. Briand and Lord Cushendun replied. M. Briand pointed out that, while Germany had disarmed, she still had an army (numbering 100,000) of a special kind, composed largely of officers, which formed a *cadre* for a much larger army, and that, in the face of this, disarmament could not be said to be complete. Moreover, Germany was a highly industrialized country, and industrial equipment might well be employed for war. While not wishing to imply that any one had doubts of Germany's will for peace, he did not wish to preclude the question whether her special talents, her remarkable resources and her constructive genius would suddenly vanish into thin air if they had to be applied to armaments. As an example of the injustice of the charge that France along with other countries had not made progress in disarmament, the French Foreign Minister mentioned the agreements made at the Washington Naval Conference, the Franco-British naval accord, and the reduction to eighteen months (with a probable future reduction to one year) of the term of military service in France.

Lord Cushendun, while sympathizing with the German Chancellor, thought that the latter had failed to appreciate the difficulties before the Preparatory Commission. It was impossible to express in terms of military value the respective power of troops, ships, and aircraft; and in addition each State had special interests; while the differences in constitutional development and geographical situation added to the difficulties. Further complications arose if one considered the enormous increase in the use of aircraft and gas for commercial purposes, so that the problem was by no means a simple one. The fact that the British Navy had decreased its strength by some 43,000 men, had scrapped 239 warships, and had closed two arsenals was sufficient answer to the charge of increased armament. Lord Cushendun also referred to the Franco-British Naval agreement.

Mr. Mackenzie King referred to Canada as a land of reconciliation in which two races who had fought on the plains of Abraham were now living together in perfect harmony with each other and with their neighbour to the south. By means of the agreement concluded in 1818, competitive armament had been



eliminated in relations between Canada and the United States. Any disputes could be resolved by the International Joint Commission, which had been set up to settle differences arising between the two countries. In all twenty-three cases submitted to this Commission, twenty-one of which had resulted in unanimous decisions, the award of the Commission had been accepted by both parties. The speaker pointed out that, in his estimation, the prosperity of the New World was caused largely by the elimination of fear of aggression.

### *Elections to the Council*

On the 10th September, the Assembly elected Spain, Persia and Venezuela non-permanent members of the Council in succession to Colombia, the Netherlands and China, whose term of office (of two years) had expired. The election of Venezuela further strengthened the principle (which has been generally accepted although no definite rule has been laid down) that a South American State should each year be elected to the Council, so that three of the nine non-permanent seats are, in practice, reserved for South America; while the election of Persia met with the desires of those who felt that China's seat should devolve upon an Asiatic country.

An interesting discussion was provoked by Spain's request for re-eligibility. It will be remembered that Article IV, paragraph two, of the rules (adopted in 1926) for the method of election to and tenure of the non-permanent seats in the Council, contained a temporary provision whereby a maximum of three members might be immediately declared re-eligible by a two-thirds vote of the Assembly. A proposal for the application of this provision to the 1928 election was put forward by the British, French and German Governments and approved by the General Committee, but met with considerable criticism from the Swedish and Norwegian delegates who claimed that, in their opinion, there was not sufficient justification for departing from the regular procedure. The resolution was adopted, however, by a majority of 44.

The application of the 1926 temporary provisions having been agreed to, Spain's request for re-eligibility was successful in obtaining the necessary two-thirds majority while a similar request from China failed.

### *Election to the Permanent Court of International Justice*

In accordance with the Statute of the Permanent Court of International Justice, the Assembly and the Council proceeded independently to the election of a successor to Mr. John Bassett Moore, who had resigned from the Permanent Court. Mr. Charles Evans Hughes (United States of America) was elected unanimously by the Council, and in the Assembly 41 votes out of a total ballot of 48 were cast in favour of Mr. Hughes.

### *Meetings of the Council*

The Fifty-First and Fifty-Second Sessions of the Council, held from August 30 to September 8 and from September 12 to September 26, respectively, were devoted mainly to co-operating with and to giving effect to the decisions of the Assembly. In addition, consideration was given to the Polish-Lithuanian dispute, the question of the Hungarian optants, methods of appointment to the Opium Central Board, and the proposed enquiry into opium smoking in the Far East. An interpretation of Article 21 of the Covenant, given by the Council in answer to a communication from Costa Rica, was largely instrumental in bringing back that country to the League.



## FIRST COMMITTEE

(LEGAL AND CONSTITUTIONAL QUESTIONS)

*Progressive Codification of International Law*

During the past year, the Committee of Experts had continued its preparatory work in connection with the questions considered as being ripe for codification, namely: nationality, territorial waters, and responsibility of States for damage done to the person or property of foreigners in their territory. Questionnaires dealing with the various phases of these questions have been forwarded not only to the States Members of the League but to other States as well, and, from the replies received, it is hoped that the Committee of Experts will be enabled to progress further with the preparatory work for the forthcoming Codification Conference.

Owing to the need for economy and to the possibility that the Disarmament Conference may meet in 1929, no definite date was decided upon for the codification meeting. It will, however, be held not earlier than 1930 unless the Disarmament Conference fails to meet during 1929; in such a case the Codification Conference would be held in 1929. It was further decided that, since the question of nationality is of great interest to women, the Governments, in naming their delegates to the Codification Conference, might consider the desirability of taking this fact into account.

A new questionnaire dealing with the subject of Domicile has been drawn up by the Committee of Experts and transmitted to the Governments by the Secretary-General. The committee further decided that when it next meets it should examine whether it would be possible and desirable to endeavour, by the procedure of codification, to formulate a declaration of the fundamental rights and duties of States. Two other questions, the legal position and functions of consuls, and the competence of courts in regard to foreign States, were considered ripe for codification, but were reserved for subsequent conferences.

The First Committee discussed the question of a systematic survey of the whole field of international law, and recommended the Council to entrust to a Committee of Three named by the Committee of Experts the task of distinguishing, if possible, between the subjects which should be reserved for the technical organizations of the League or for international conferences initiated by particular Governments, and those which appear capable of being dealt with by conferences of jurists. Emphasis was placed on the value of assembling, in the form of a code, according to a methodical classification, the various general international conventions which are open to acceptance by States in general, and of publishing such conventions as an accompaniment to the Treaty Series.

*Question of the Revision of the Statute of the Permanent Court of International Justice*

On behalf of a number of delegations, the French delegation submitted a draft resolution on this subject. M. Fromageot (France) pointed out that, in two and a half years' time, it would be necessary to renew the mandate of the members of the Court, and that it was possible that some changes or improvements might be necessary. The procedure to be followed would be that envisaged by Article 14 of the Covenant: the Council would prepare a plan and submit it to the Assembly, which, after approval, would embody the changes in the form of a Protocol which would be open to all States for signature.

M. Unden (Sweden) mentioned the difficulties of bringing about a revision, and stated that Article 30 of the Statute furnished the means of introducing changes in the internal regulations of the Court. If the Assembly felt it abso-

lutely necessary to undertake a general revision of the Statute, then it would be desirable to consult the Court in the first place, and to allow certain States, non-Members of the League, to participate in the study of the question. M. Pella (Roumania) felt that, before the mandate of the members of the Court were renewed, consideration should be given to the report submitted to the Council in 1920 by M. Caclamanos (Greece) in favour of conferring on the Court a certain jurisdiction in penal matters. After considerable discussion on this point, during the course of which reference was made to the work of various law associations and of the Inter-Parliamentary Union in the field of penal reform, a resolution was agreed upon which called the attention of the Council to the advisability of proceeding to the examination of the Statute of the Court with a view to the introduction of the necessary amendments and to submitting any proposals to the next ordinary session of the Assembly. M. Pella's suggestion was not embodied in the resolution, it being considered foreign to the question under discussion.

### *Advisory Opinions of the Permanent Court of International Justice*

"The Assembly recommends the Council to consider whether it would not be desirable to submit to the Permanent Court of International Justice, for an advisory opinion, the question whether the Council or the Assembly can, by a simple majority, request an advisory opinion under Article 14 of the Covenant of the League of Nations."

The above resolution proposed by the Swiss delegation gave rise to one of the most interesting and lengthy debates in the First Committee. Participated in by many of the leading legal experts of various States, the discussion centred around the constitution of the Covenant, the prestige of the Court, and ways and means of arriving at a solution of the problem. M. Fromageot (France), in opening the debate, felt that, if an advisory opinion meant merely an investigation, a question of procedure, then a majority vote would suffice, but if it were to have a decisive binding effect, unanimity would be required. In his opinion, the authors of the Covenant had expressly avoided anything savouring of compulsory arbitration, and the question at issue was whether advisory opinions were to be merely advisory, as provided by the Covenant, or decisive as they were in practice.

On this latter point, M. Burekhart (Switzerland) claimed that, from a strictly legal point of view, an advisory opinion was never binding or decisive. He then explained why his delegation had brought forward the proposal. It was a question of particular interest to small states, and had been raised two years ago, when the reservations of the United States had been discussed, but thereafter the matter was dropped. The question had several angles and several possible solutions, and, while no particular interpretation was favoured, a definite and clear one was desired.

M. Scialoja (Italy), M. Ito (Japan) and Sir Cecil Hurst (Great Britain), were all in favour of withdrawing the resolution. The representative of Norway, on the contrary, could see no harm in the proposal, and would welcome its adoption by the Committee.

The representative of Greece was of the opinion that the Court could not be asked to make a change, but that an amendment could be brought about by the Member States. A study could be made, in the first place, by the Council or a Committee formed within it, or by a special committee of jurists. A report would then be made to the Assembly, with a proposal either for an official interpretation or for an amendment to the Covenant. If Article 14 could be amended by transferring the advisory function from the Court to a special organ, the question of unanimous and majority votes would disappear, since for this organ a majority would be sufficient in every case.

In view of the difference of opinion, the original draft resolution was modified to read as follows:—

“The Assembly, noting the divergencies of opinion which exist as regards the requirements for voting in the Council or the Assembly a resolution requesting an advisory opinion from the Permanent Court of International Justice, expresses the desire that, when circumstances permit, the Council may have a study made of the question whether the Council or the Assembly may, by a simple majority, ask for an advisory opinion within the meaning of Article 14 of the Covenant of the League of Nations.”

### *Pacific Settlement of International Disputes*

While the Conventions on Conciliation, Arbitration, and Judicial Settlement of International Disputes, prepared by the Committee on Arbitration and Security, were considered by the Third Committee, they were discussed by the First as well, a liaison committee under the chairmanship of M. Politis (Greece) being the connecting link.

In a long *exposé*, M. Politis outlined the work of the sub-committee, and reviewed the problems confronting it. The chief point to be decided was whether the three conventions should be maintained as distinct with no connection between them, or whether an improvement could not be effected by drafting the three into one complete instrument. After much study, it was found that the objection to the amalgamation was a purely technical one, and the finished draft, as drawn up by M. Unden (Sweden) and M. Rolin (Belgium), entirely met the previous objection raised by members of the committee. Moreover, the final draft, while preserving the advantages of the old system, actually brought about further improvements. It created a distinct bond between the three instruments; presented greater simplicity and more practical facilities both for its adoption and for its application; and finally, by its very elasticity and flexibility could more easily adapt itself to every need and peculiar circumstance which might occur in the future. Provision is made, in Article 38, for adhesion to only one of the four chapters of the convention or to the convention as a whole, each State becoming bound to each other State only to the extent to which it and the other State have incurred equal commitments. Another important Article is Article 45 which provides for partial denunciation.

M. Politis then replied to objections raised by certain members of the committee, notably Sir William Harrison Moore (Australia) and the representative of India, who opposed the merging of the three conventions into one at the last moment, when it was impossible for the representatives of distant countries to get adequate instructions. M. Ito (Japan) questioned the wisdom of the policy of eliminating draft bilateral conventions in favour of a general convention, while Sir Cecil Hurst (Great Britain) thought it desirable to ascertain, before opening the convention for general accession, what Governments would favour bilateral agreements: otherwise there would be danger of producing conditions similar to those of 1923 and 1924. Eventually the draft was approved and passed on for comment to the Third Committee.

## SECOND COMMITTEE

### (TECHNICAL ORGANIZATIONS)

#### *Economic Organization*

The most important question before the Second Committee was the discussion of the report submitted by M. Loucheur (France), dealing with the Economic Organization of the League and the work accomplished since the resolutions of the International Economic Conference had been recommended to the favourable attention of all Governments by the Eighth Assembly.



The report, after expressing general satisfaction with the progress achieved, noted that all States had signed the Convention for the Execution of Foreign Arbitral Awards and that five new ratifications of the 1923 Protocol on Arbitration Clauses had been registered. It also recommended the early conclusion of the preparatory work for the establishment of a simplified uniform customs nomenclature; the framing, by the Economic Committee, of a doctrine in regard to commercial policy; further investigations in regard to veterinary measures and to problems relating to coal and sugar; and a systematic study on the problems of agriculture.

Hon. C. A. Dunning (Canada) referring to the Report stated that he considered it of the greatest importance that the work of the Economic Committee should continue and develop as it was only at Geneva that economic questions could be discussed from an international point of view.

### *Health Organization*

The report of the Health Organization showed an increasing activity in this branch of the League's work. Besides numerous meetings of the various commissions on cancer, malaria, and smallpox, reference was made to the increasing contact with the South American countries and with the Far East through the Bureau at Singapore, which during the year had been able to give warning of infected people on board as many as 162 vessels. The interchange of public health and medical personnel, and the new departure in the study of rural hygiene were felt to be highly advantageous means of making the League's work better known. A tribute was paid by the Japanese delegate to the work of the Singapore Bureau, while work in the field of rural hygiene was highly praised by the representatives of Poland and India.

### *Communications and Transit*

In this field, a great variety of activities was noted. The reorganization of the special Committees set up by the Advisory and Technical Committee has enabled the latter to enlist assistance from a great many quarters, and the Permanent Committee for Transport by Rail now includes distinguished new members with particular knowledge of the development of railway transport on the American continent. Work is being actively pursued with a view to facilitating newspaper distribution and the unification of road signals, while, by the investigation into air navigation, it is hoped to establish a few principles of public international law therein. With regard to marine navigation, a study is being made of the unification of tonnage measurement, of buoyage and the lighting of coasts, and it is hoped to bring about the unification of certain sections of river law.

Inland navigation statistics, calendar reform, passports, and broadcasting for purposes of propaganda—these were some of the other questions raised in connection with the work of the Communications and Transit Section.

### *Alcoholism*

The Second Committee was requested to consider a proposal which had originally been placed before it in 1926. At the 1926 Assembly, the Finnish, Polish and Swedish delegations had proposed that the League should enquire into certain aspects of the question of alcoholism; owing, however, to strong opposition chiefly on the ground that it was doubtful whether such an enquiry was within the competence of the League, the question was postponed until the following Assembly. The 1927 Assembly decided that some aspects of the question might well form the subject of a League inquiry, and it was finally agreed to place the item on the agenda of the 1928 Assembly.

After much discussion, it was decided to request the Health Organization to collect full statistical information regarding alcoholism, giving prominence to the deleterious effects of the bad quality of the alcohols consumed, and to ask the Economic Committee to carry out an investigation into the terms of agreements which might be made to prevent smuggling in general and that of alcohol in particular. The resolution specifically excluded wine, beer and cider from the scope of such an investigation.

### *Financial Committee and Refugee Settlement*

General satisfaction was expressed with the work of the Financial Committee during the past year, particularly in connection with the work accomplished for Greek and Bulgarian refugees and the stabilization loans for Greece and Bulgaria.

The representative of Canada (the Hon. Philippe Roy), who was appointed Rapporteur on the question of the Settlement of Bulgarian Refugees and the Bulgarian Stabilization Loan, reviewed the work of the League in this field. The work of settlement in Bulgaria, although in operation for only two years, has already produced satisfactory results. There are some 33,000 refugees to be settled, and good progress has already been made in this direction. Negotiations for a £5,000,000 loan are under way, and it is expected that in a very short time Bulgarian stabilization will be an accomplished fact, and one more country will have been helped by the League towards financial and economic recovery.

The results of refugee settlement in Greece have been equally striking.

## THIRD COMMITTEE

### (REDUCTION OF ARMAMENTS)

#### *(a) Work of the Preparatory Commission for the Disarmament Conference*

Since the Eighth Assembly, the Preparatory Disarmament Commission has held two sessions, one during December, 1927, when it set up the Committee on Arbitration and Security, and the second during March, 1928.

In the past year the Committee on Arbitration and Security has done excellent work in studying the problem of security and in endeavouring to create adequate safeguards which might be an aid to disarmament. The results of its labours were submitted to the Third Committee and will be found discussed under heads (b) (c) (d) (e) and (f) of this report. It will be seen that the agenda of the Third Committee was made up largely of matters already investigated and, to some extent, elucidated by the Arbitration and Security Committee.

It will be remembered that at the last session of the Preparatory Commission progress in disarmament was being held up because of the inability of some delegations to come to an understanding on the questions of naval tonnage classification and trained army reserves. The two nations whose views were most pronouncedly divergent were Great Britain and France. The general opinion of the Commission seemed to favour the solution of controversial points by direct negotiation between States. The Hon. Hugh Gibson (United States) summed up the situation thus (Preparatory Disarmament Commission, March 23, 1928): "At the conclusion of the first reading (of the draft convention), there were so many points of disagreement that we felt that nothing further could be accomplished in public meetings until after an effort had been made by direct negotiation between the various Governments and between groups of Governments, to find a way, through mutual concession, to eliminate existing divergencies." Lord Cushendun and Count Clauzel stated at that time that their two Governments were endeavouring to reach an agreement, Count Clauzel remark-

ing: "We are far advanced along this path (meaning exchange of views between Governments) and there is no occasion to anticipate any very long delay before we arrive at appreciable results."

The outcome of these discussions was the Anglo-French naval proposals, which were submitted to the United States, Italy and Japan on July 30, 1928, and made public a month later. In view of the widespread criticism of the proposals, Lord Cushendun and M. Paul-Boncour considered it advisable to defend them before the Third Committee. Lord Cushendun did not understand why criticism should have been directed against the French and British Governments: all sorts of ulterior motives had been attributed to both parties, but this simply showed that the critics had not considered that the endeavour to reach an agreement had arisen out of the work of the Preparatory Commission and as a result of suggestions made by various delegations before the Commission. M. Paul-Boncour was not sure that the reception accorded this new Agreement would encourage others to follow their example. Although they (the negotiators) did not expect to be crowned with laurels, they were justified in expecting something better than distrust.

Under existing circumstances it appears unlikely that at the next session of the Preparatory Commission, the Anglo-French Agreement will serve as a basis for further negotiation on the moot points of tonnage classification and conscription.

Very divergent views were expressed concerning the work done thus far by the Commission toward Reduction of Armaments.

Several states expressed disappointment that it had not been possible as yet to arrive at some sort of agreement, at least in respect of the general principles of disarmament. Very naturally the delegations which expressed keenest dissatisfaction were those representing nations disarmed by virtue of the Peace Treaties. They considered it was time that, under Article 8 of the Covenant, a start was made in the general reduction and limitation of armaments. The Hungarian delegation maintained that the conditions of complete disarmament imposed upon the vanquished nations were a transitional measure to facilitate this general disarmament. The British, French and Japanese representatives showed how their Governments had already voluntarily undertaken and carried out an important program of disarmament.

Some delegations, on the other hand, considered that disarmament could only follow upon, not precede, security. In this connection references were made to the new Conventions for the Peaceful Settlement of International Disputes, and to the Treaties of Non-Aggression and Mutual Assistance, as well as to the Kellogg-Briand Peace Pact. The Serb-Croat-Slovene, Polish and Roumanian delegates did not, however, appear over-sanguine about the degree of security afforded under existing conditions.

There was protracted discussion with respect to the date, if any, which the Third Committee should suggest to the Assembly for the convening of the next session of the Commission. The German delegation not only wished to fix a date for the next meeting of the Preparatory Commission, but urged that the Assembly should convene in 1929 the first session of the General Disarmament Conference. The French delegation favoured fixing a date for the Preparatory Commission, but not for the Conference. Lord Cushendun, on the contrary, expressed doubt as to the wisdom of fixing a definite date for either. He recalled the warning of the United States representative at the last session of the Commission that if a definite date were set, adjournment might have to take place immediately after arrival at Geneva owing to lack of agreement on some point. Hence, time, money and labour would have been expended uselessly. The Italian and Japanese delegations agreed with the British view.

M. Loudon (Netherlands), President of the Preparatory Disarmament Commission, thought that before the Commission could meet again the great naval



Powers must come to an agreement. It was his intention to ask the Governments of France, Great Britain, Italy, Japan and the United States to instruct their representatives to meet him shortly in Paris or elsewhere, in order to discuss this important problem before the next meeting of the Preparatory Commission. He undertook not to delay in summoning the new session as soon as an agreement had been reached after this private conversation with the representatives of the five naval Powers, but he could not venture at the present moment unless instructed by the Assembly, to convene another session of the Preparatory Disarmament Commission.

Lord Cushendun expressed grave doubt as to the acceptance by his government of M. Loudon's suggestion of a private meeting of the great naval powers, as it seemed to propose that the reconsideration of the Washington Conference set for 1931 should be antedated. All the Powers mentioned by M. Loudon were signatories of this Convention.

The consensus of opinion was in favour of leaving to the President of the Preparatory Commission the responsibility for fixing the date of the next meeting of the Commission, and a wish was expressed that such meeting might take place early in 1929.

*(b) Pacific Settlement of International Disputes: Non-Aggression and Mutual Assistance*

One of the duties of the Committee on Arbitration and Security was to enquire into the various means of "promoting, generalizing and co-ordinating special or collective agreements on Arbitration and Security." It was felt that such agreements, if signed, would constitute a safeguard which would engender a feeling of security, and that, as a consequence, nations might consent more readily to disarm.

The Arbitration and Security Committee, after three sessions, the last of which was held from the 27th June to the 4th July, 1928, presented to the Assembly drafts of Conventions for the Pacific Settlement of International Disputes, and of Treaties of Mutual Assistance and Non-Aggression. These Conventions and Treaties were discussed by the Third Committee and also by the First Committee, to which they were referred for an opinion on their legal aspect.

Of the six model Conventions dealing with the Pacific Settlement of International Disputes, three were general conventions, and three bilateral.

It had always been considered that a link between the three general conventions was indispensable, but a decision as to the method of connecting them was deferred. A joint decision was reached by the First and Third Committees in September, when it was decided to draft a General Act, embodying the three former General Conventions. In this General Act there are four chapters. The first three reproduce the distinctive features of each of the former General Conventions to which they correspond, while the last comprises the general provisions of all three Conventions.

The General Act has been made as elastic as possible. It may be acceded to as a whole or in part: signatory States may make reservations and limit the extent of their obligations. Moreover, generous allowance is made for denunciation, complete or partial. As soon as it is accepted by two States or more, it will take on the nature of a General Convention which will remain open indefinitely for future accessions.

The three model Bilateral Conventions for Conciliation, Arbitration and Judicial Settlement were also retained. In this way no preference was expressed for either of the two tendencies shown in the Committee on Arbitration and Security, where some delegations favoured general, while others advocated particular conventions.

The three model treaties referring to Non-Aggression and Mutual Assistance were discussed and adopted by the Committee. The treaty of Mutual Assistance, the agreement having the widest compass, combines non-aggression, the peaceful settlement of disputes, and mutual assistance. It does not, however, and in this way it differs from the Locarno Pact, provide for a guarantee by third States, or the maintenance of the territorial *status quo*. Some delegations, notably those of Roumania, of Poland and of the Serbs, Croats and Slovenes, maintained that the Treaty of Mutual Assistance erred in this respect, that it did not go far enough, and that an article similar to that contained in the Locarno Pact, should be added, providing for the case of flagrant violation. M. Paul-Boncour (France) agreed in principle with this view, but he did not press the point as, generally speaking, the Committee was not in favour of the inclusion of the Locarno Clause.

The collective and bilateral treaties of non-aggression are intended for States seeking further safe-guards in the matter of security, but unwilling to incur obligations of mutual assistance.

As a natural corollary to all of the above conventions and treaties, a resolution was passed inviting the Council to inform States that, if requested so to do by one of the parties to any of the agreements, it (the Council) would "be prepared to place at the disposal of the States concerned its good offices which, being voluntarily accepted by them, would be calculated to bring negotiations to a happy issue."

The Council subsequently gave effect to this resolution.

The Third Committee, realizing the importance of the security guarantee afforded by accession to the Optional Clause of Article 36 of the Statute of the Permanent Court of International Justice, drafted a resolution, urging States to accede, with reservations if necessary.

The Canadian representative on the First Committee, Hon. R. Dandurand, went one step further and advocated the insertion, at the end of the proposed resolution, of a request to the States which have not yet acceded to the Optional Clause that they indicate the questions of international law, the elucidation of which would facilitate such accession.

The amendment proposed by the Canadian delegation was adopted.

### (c) *The Study of Articles 10, 11 and 16 of the Covenant*

In September, 1927, the Assembly, when providing for the establishment of the Committee on Arbitration and Security, laid down as one of the tasks of the new Committee "the systematic preparation of the machinery to be employed by the organs of the League of Nations with a view to enabling the Members of the League to perform their obligations under the various articles of the Covenant".

The Committee on Arbitration and Security began with the study of Articles 10, 11 and 16, and M. Rutgers (Netherlands) was asked to prepare a memorandum, which was discussed in detail by the Committee at its second session, held in February-March, 1928.

Some of the conclusions of M. Rutgers' report follow:—

- (a) It would be inadvisable to draw up a rigid and complete code of procedure for the League in times of emergency but it is both feasible and desirable to indicate the possibilities offered by the different articles of the Covenant, and the ways they might be applied, without expressing any opinion as to the particular methods which might be required in a particular instance. The task of the League is primarily to maintain peace and *prevent* war. Hence the application of repressive measures should only take place after preventive measures have failed.

- (b) A hard and fast definition of the expressions "aggression" (Article 10), and "resort to war" (Article 16) would not be free from danger, since it might oblige the Council and the Members of the League to pronounce on a breach of the Covenant and apply sanctions at a time when it would still be preferable to refrain for the moment from measures of coercion. There would also be the risk of a State, which was not in reality responsible for hostilities, being described as an aggressor.
- (c) The preparation of the military sanctions provided for in Article 16 does not seem likely to promote mutual confidence between the States Members of the League of Nations unless at the same time various forms of pacific procedure suitable for the settlement of all international disputes are organized, and unless there is also a general agreement on the reduction and limitation of armaments.
- (d) It would be well that, in the event of resort to war, the Council should declare whether a breach of the Covenant has or has not taken place, and should state which of the two parties to the dispute has broken the Covenant.

These conclusions, it may be recalled, did not meet, in the spring of 1928, with the unanimous approval of the Committee on Arbitration and Security. Some delegations would have preferred that a definition be given to the terms "aggression" and "resort to war," while others considered the development of military sanctions a valuable contribution to security.

The Canadian delegation, however, opposed at that time the suggestions contained in the preceding paragraph, which it thought would be ineffective and dangerous. Dr. Riddell emphasized the importance of conciliation, arbitration and the prevention of disputes rather than sanctions. He stated that, in his opinion, the Council could not determine the aggressor, and that it was the duty of each member of the League to decide for itself whether a breach of the Covenant had been made.

In the discussion of the above memorandum before the Third Committee, two points of view of a general character were voiced concerning the Covenant. One, upheld by Germany, proclaimed the high degree of security it afforded, while the other, maintained by Poland, considered such security insufficient.

On the recommendation of the Third Committee, the Assembly and the Council expressed satisfaction at the work done to elucidate the meaning of Articles 10, 11 and 16 of the Covenant, but they added that the interpretation given to the Articles must not be considered to affect in any way the rights and duties of the members of the League, or the different modes of procedure open to them when dealing with specific cases brought to their attention. At the same time the Preparatory Disarmament Commission was requested to undertake the study of other Articles of the Covenant, and doubtless, at the next session of the latter Commission, this task will be entrusted to the Committee on Arbitration and Security.

#### *(d) Model Treaty to Strengthen the Means of Preventing War*

In 1927 the German delegation submitted to the Committee on Arbitration and Security a number of suggestions whose object was to strengthen the means of preventing war, and hence to give an effective answer to the objection of States which proclaimed "we cannot disarm until we have security." The original proposals, which in discussion were somewhat modified, provided for Signatory States undertaking to accept and to execute generally all recommendations of the Council in cases of Dispute, Threat of War and Hostilities.



The German delegation asked that these suggestions be embodied in a general protocol open to the signature of all States. During the Third Session of the above Committee in June and July, 1928, there was strong opposition on the part of Great Britain, France, Japan and Italy to a protocol. As a result the Committee finally rejected the idea and framed instead a model multi-lateral treaty which might be used as a bilateral one. This treaty received some opposition in the Third Committee and attracted little attention in the Assembly as it came so soon after the signing of the Kellogg-Briand Peace Pact.

It was, however, recommended to the consideration of the States Members and non-Members of the League in the hope that it might serve as a basis for States desirous of concluding an agreement of this kind.

*(e) Financial Assistance to States Victims of Aggression*

In September, 1926, the Financial Committee had been requested by the Council to work out a plan of financial assistance to States victims of aggression. In 1927 the report of the Financial Committee was presented to the Assembly, which instructed the Committee on Arbitration and Security to carry on the study of the problem.

A joint committee, composed of members of the Committee on Arbitration and Security and of the Financial Committee, was appointed to prepare a report. This Committee had found it difficult to draft a plan because there were certain questions of a political character which, it thought, should be answered by the Assembly before definite progress could be made. These questions were:—

- (1) Should the convention on financial assistance be an independent convention or should it constitute an integral part of a general disarmament convention?
- (2) Should the plan for financial assistance apply in the case of a threat of war as well as in the case of actual war?
- (3) Should the convention come into force merely on the decision of the Council or must the consent of all signatory States (including those not on the Council) be obtained in order to put the plan into operation?

The discussion before the Third Committee showed that the majority felt that a special Convention should be drawn up which should constitute part of the general framework of the disarmament program. It was also proposed that financial assistance, which might be extended to cover the threat of war, as well as war itself, should be voted by the Council alone. It was stipulated, though, that this vote must be unanimous, and is only binding on those states signatory to any Convention that might be drawn up.

The political aspects of the problem having been disposed of, for the time being at least, it will now be possible for the Financial Committee to prepare a draft Convention for the consideration of the next Assembly. It is understood, however, that acceptance of the principle of Financial Assistance does not imply acceptance of the Convention which is to be drafted by the Financial Committee.

*(f) Establishment of a League of Nations Radio-Telegraphic Station*

This question, which concerns the independence of the League in the matter of air communications with the outside world, has been under consideration for some time. Certain delegations considered that in times of emergency it might be of capital importance that the League of Nations should be in a position to communicate directly with all States members.

The Communications and Transit Committee under orders from the Council had prepared a preliminary report which was laid before the Assembly (1927) at which a resolution was adopted congratulating the Council on having initiated

the study of the problem and requesting that the work of investigation be continued with a view to "the establishment of a Radio-Telegraphic Station at the seat of the League of Nations" and, more generally, to "enabling the League of Nations to be prepared at any moment to meet any emergency with the greatest possible rapidity."

The Third Committee was called upon to consider the reports prepared by the Communications and Transit Committee and a memorandum from the Swiss Federal Government suggesting joint action by the League of Nations and the Swiss Government in the establishment of a wireless station.

There was a general discussion on the principle involved, during which the consensus of opinion showed little enthusiasm for the idea of a League of Nations Station. Various objections on financial and technical grounds were put forward by the British and Japanese representatives.

The Hon. C. A. Dunning (Canada) was of opinion that the discussion showed that the question before the Committee resolved itself into the utility of such a station in times of emergency since no complaint had been made that existing facilities were not adequate for normal times. This raised, in his view, a technical question—i.e., whether in times of emergency a nation in Europe which found it necessary or expedient in its own interests to close, censor or interfere in any way with ordinary means of communication would not find it equally possible to interfere with the wireless communications from a League of Nations station. Unless this question could be answered satisfactorily he personally would prefer to see the money expended on other activities of the League which were very much in need of funds.

The matter was referred to a sub-committee, which considered the following alternatives:—

(1) The construction and operation of a wireless station by the League of Nations.

(2) The construction, jointly financed by the Swiss Federal Government and by the League of Nations, of a medium and short-wave station. In time of peace this station would be operated by the Swiss Government, but in time of emergency it would be handed over to the League of Nations on the following conditions:—

That the Swiss Federal Government be allowed to place an observer at the wireless station to keep his Government informed of all radio-telegraphic activities.

That the Assembly should pass a resolution recognizing that the use to be made of the station by the League in times of crisis would not involve the international responsibility of Switzerland.

Neither of these alternatives was received with any degree of favour and the whole question was referred to the Communications and Transit Committee for further report.

(g) *The Preparation of a draft Convention on the Private Manufacture and Publicity of the Manufacture of Arms and Ammunition and of Implements of War*

Ever since December, 1920, the question of Private Manufacture has occupied the attention of the Assembly which, in view of paragraph 5 of Article 8 of the Covenant, has, on several occasions, requested the Council to take the necessary preliminary measures which would lead eventually to the convening of a General Conference on the subject.

The study of Private Manufacture, after having been successively undertaken by the Temporary Mixed Commission, and by the Committee of the Council, was handed over, in December 1926, to a Special Commission, which has held two sessions, the first in March-April 1927, and the second from the

27th to the 30th August, 1928. On each of these occasions an attempt was made to draft a single text which might serve as a basis for an international convention.

Unfortunately the Special Commission has been unable so far to reach an agreement.

The principal divergencies have centered round the following points: whether aircraft should be included in the convention and, if so, should the inclusion extend to civil as well as military aircraft; whether component parts of arms, in addition to the completed article, should come under the convention; whether the figures published concerning the manufacture of arms and ammunition and implements of war should be in terms of value only, or in terms of weight and number also; and finally, whether State and Private Manufacture should be subjected to the same degree of publicity.

In considering the above problems left over from the Special Commission's last session it will be seen that a great deal remains to be done before unanimity can be reached.

The Special Commission in its report stated in part that "After attempting to reconcile the different points of view, it could do no more than place on record the continued existence of fundamental divergencies...", which made it impossible for it to draft the single text which the Assembly desired.

Under the circumstances the Third Committee recommended that an appeal be made to the various Governments to examine carefully the differences of view and that another meeting of the Special Commission be called before the next Council session. Effect has been given to this recommendation, and, on the 23rd December 1928, the Special Commission will meet again in an endeavour, which it is hoped will be successful this time, to draft a single text for a convention on the Private Manufacture and Publicity of the Manufacture of Arms and Ammunition and of Implements of War.

## FOURTH COMMITTEE

### (BUDGET AND FINANCIAL QUESTIONS)

#### *League Buildings*

Plans for the construction of an Assembly Hall, a new building for the Secretariat, and a new Library, which have up to the present been delayed, seem now to be on the road to realization.

It will be recalled that the League had acquired three sites on Lake Geneva, but was unable to make arrangements to purchase a fourth property which was necessary to give sufficient ground for all the buildings. A solution was found by effecting an exchange with the authorities of the City of Geneva, the city conferring on the League the "droit d'usage" of a portion of the Ariana Park in exchange for similar rights of occupation in the three lakeside properties now in the possession of the League. Thus the League buildings will not be on the lake front, and the plans which envisaged buildings on the shore will have to be altered to suit the new site. The former League property will be a public park which will form a continuation of the Parc Mon Repos, so that the new buildings, while not on the water's edge, will have an unobstructed view of the lake.

As soon as the legal formalities connected with the transfer of the land have been completed, the Committee of Five is to give final approval to revised plans adapted to the new site, such approval to be submitted later to the Council for ratification. The amount to be spent on the new buildings may be increased to approximately 19,500,000 francs, so that it seems assured that very few more Assemblies will be held in the ill-ventilated and cramped quarters at present in use.



### *Administrative and Financial Questions*

Discussion of League finances usually serves as an opportunity for criticizing the administration. This year proved no exception to the rule, the debates being unusually long and candid.

The budget for 1929, as submitted, amounted to 26,871,244 francs, the increase of roughly 5 per cent over last year's budget being due to fresh work being undertaken as a result of the Economic Conference, to further work of the Transit Organization, to the proposed Conference on the Codification of International Law, and to the expenses of the Central Board provided for under the 1925 Opium Convention.

During the general discussion the tendency to enlarge the budgets was attacked by the British, Indian and Norwegian delegates. The budget of the Permanent Court of International Justice was adopted without objection, but those of the General Services of the Secretariat and of the International Labour organization, came in for considerable criticism.

The Secretary-General of the League, Sir Eric Drummond, made a convincing defence of the budget as submitted, showing that the increase was due only to the new work which the Assembly had decided it was essential to undertake. He confessed that he saw something inconsistent in the British proposal to reduce the budget by one million francs, when less than a week before the British delegate on the Council had proposed an opium inquiry which would cost anything up to half a million francs. Eventually, however, a resolution was adopted requesting the other Committees to revise the program of Conferences and to suggest any other methods by which economies might be effected.

The Budget of the Labour organization was vigorously defended by its Director, M. Thomas, who assured the committee that there was no extravagance and that the proposed increased expenditure was necessary. Three resolutions to reduce the Labour Office vote were all defeated.

In the end the general budget was adopted substantially as it stood. It amounted to 27,026,280 gold francs and was sub-divided as follows:—

Secretariat and Special Organizations.. . . . .	14,713,085
*International Labour Organization.. . . . .	8,612,640
Permanent Court of International Justice.. . . .	2,255,555
Buildings at Geneva.. . . . .	1,445,000

Of this total amount, Canada is assessed for 35 units out of a total of 986, which brings the amount of her contribution to 959,350.70 gold francs. From this must be deducted Canada's share in the surplus for the financial year 1927, amounting to 38,712.73, and also her share of 31,917.80 devolving from the Building Fund to those States which, by the prompt payment of their contributions up to the end of 1925, had contributed to the formation of the capital set apart for the construction of the new buildings. Thus the net contribution of Canada to the League for 1929 amounts to 888,720.17 gold francs, or approximately \$170,000.

The administrative services of the League were also criticized in the Fourth Committee, principally by the delegates from Holland and Norway. The chief criticism was that nationals of a certain group of Powers filled too large a number of posts on the Secretariat, and that there was a growing tendency for the higher officials to be members of the diplomatic services of their respective countries.

Sir Eric Drummond in an effective reply, stated that he based his appointments on the principles of the Balfour report of 1920, in which it is laid down that in making appointments, the Secretary-General has primarily to secure the best men and women for the duties to be performed; but, in doing so, it is

necessary to have regard to the great importance of selecting the officials from various nations. A resolution, which largely embodied the above principles, was unanimously adopted by the committee.

The predominance of British and French employees in the Labour Office was also attacked. M. Thomas, replying, assured the committee that in making appointments he would always attempt in the future, as in the past, to reconcile the three essential requirements, namely, equitable representation of nationalities, appointment of the ablest candidates, and adequate opportunity of promotion.

## FIFTH COMMITTEE

### (SOCIAL AND HUMANITARIAN QUESTIONS)

#### *Child Welfare*

The representative of Canada (Senator Dandurand) was appointed Rapporteur for this question.

The Fifth Committee expressed appreciation of the work of the Child Welfare Committee and of the latter's efforts to concentrate its attention on a small number of important questions of international concern. It noted that the Child Welfare Committee was continuing its study of the status of illegitimate children, and that it intended at future sessions to consider the questions of alcoholism, recreation, the influence of family allowances on the welfare of children, the education of blind children, the scientific definition of feeble-mindedness in children, and the classification of feeble-minded children.

Particular attention was drawn to the work of the Legal Sub-Committee of the Child Welfare Committee in connection with the preparation of preliminary draft conventions on the repatriation and the relief of minors of foreign nationality. Many delegates spoke favourably of the Child Welfare Committee's enquiry into the effect of the cinematograph on children, and of its recommendation that films should be shown in diffused light and in day-light. A great deal of interest was expressed by the Committee in the setting-up of the International Educational Cinematographic Institute (Rome) and the Child Welfare Committee was requested to keep in close touch with it. Several delegates considered that women should be represented on the Governing Body of the Institute, in view of the influence of films on the development of the young.

#### *Traffic in Women and Children*

At its last session, the Traffic in Women and Children Committee had devoted some time to the consideration of Part II of the Report of the Special Body of Experts (see Report of Canadian Delegates to the Eighth Assembly, pp. 12, 13) and had recommended that the enquiry should be extended. It had further expressed the hope that the Governments of those countries which retain the system of licensed houses should examine this question in the light of the Report of the Special Body of Experts. In order to facilitate this examination, the Secretariat was asked to make a study of the laws and regulations in force in those countries where the system has been abolished.

The Fifth Committee approved these recommendations of the Traffic in Women and Children Committee, and agreed with the latter as to the necessity of adopting stronger measures against *souteneurs* in order to put a stop to their operations, which are among the main causes of the traffic in women. Noting that the Traffic in Women and Children Committee had placed the question of women police on its agenda, the Fifth Committee emphasized the necessity of employing women police in order to combat the traffic.

### *Refugees*

The Fifth Committee noted the progress that had been made in the work of refugee settlement by the High Commissioner for Refugees (Dr. Nansen) and by the International Labour Office.

Considering that a complete solution of the refugee problem can be reached only by the return of the refugees to their country of origin or by their assimilation by the countries in which they are residing, and realizing that the first solution is in many cases impracticable, the Committee recommended that refugees should have all possible facilities for acquiring the nationality of their country of residence.

As the Governing Body of the International Labour Office had proposed that the refugee work at present undertaken by the Labour Office should at the end of 1929 be transferred to the League, the Fifth Committee recommended that the Assembly invite the Council to appoint as soon as possible an Advisory Commission to be attached to the High Commissioner; this Commission to submit before the next session of the Assembly a general report on the possibility of reaching a final solution as soon as possible and on the means by which this object might be attained.

### *Traffic in Opium*

The Report of the Advisory Committee on the Traffic in Opium and other dangerous drugs was, as usual, the occasion of a very full discussion of the problem of narcotics. The Fifth Committee noted with satisfaction that legislation had been adopted in Persia providing for an opium monopoly, and in Spain instituting a monopoly system for the trade in drugs. It once more emphasized the necessity of strict enforcement of the provisions of the 1912 and 1925 Conventions, and of co-operation between Governments in their efforts to stamp out the illicit traffic and particularly in investigations as to the identity of persons engaged in smuggling narcotics.

The Fifth Committee considered that the most important recent development in this connection is the coming into force (on the 25th September 1928) of the Opium Convention of 1925. Canada is a party to this Convention, which should prove a powerful instrument in the suppression of the traffic. The system of import and export certificates for which it provides is, if strictly applied, an effective method of Government supervision of the trade in drugs.

The coming into force of the Convention will also result in the setting up by the Council of a Permanent Central Board whose duty it will be to watch the international trade; for this purpose it will receive from the States Parties to the Convention statistics of production, manufacture, consumption, import and export of the narcotic substances covered by the Convention. If, from the information in its possession, the Board concludes that a country is in danger of becoming a centre of the illicit traffic, it has the right to ask for explanations; and, in default of satisfactory explanations, to bring the matter to the attention of the Council of the League and of the States Parties to the Convention, and to recommend that no further exports of narcotic substances shall be made to the country concerned until the Board is satisfied as to the situation.

The Fifth Committee also considered a proposal of the British Government, referred to the Assembly by the Council, that a small Commission of Enquiry should be sent to the Far East to enquire into the difficulties encountered by the Governments in their efforts to control the use of opium prepared for smoking. The Committee proposed that the Assembly recommend the Council to appoint such a Commission to report on the situation in those countries which agree to such an enquiry.



## SIXTH COMMITTEE

## (POLITICAL QUESTIONS)

*Mandates*

In examining the reports and minutes concerning the execution of the provisions of Article 22 of the Covenant in the mandated territories, the Sixth Committee laid emphasis on economic equality, the liquor traffic, and the systematic and scientific organization of the work of the Mandates Commission and of the Mandates Section of the Secretariat.

The main interest, however, centered in a discussion of the relations between Iraq and Persia. H. H. Mohammed Ali Khan Foroughi (Persia) complained of ill-treatment of Persians in Iraq and protested against the discrimination in the Judicial Agreement of 1924 between Great Britain and Iraq whereby no nationals of Asiatic states except those permanently represented on the Council of the League should enjoy its benefits.

In reply, Mr. Locker-Lampson (British Empire) pointed out that Persians were not discriminated against and explained the impossibility of applying this agreement to nationals of that country in Iraq who numbered over 200,000. He deprecated the airing of diplomatic difficulties between two countries before the Committee and expressed the hope that more amicable relations would be attained by negotiation, making it unnecessary to bring the matter before the Council.

General satisfaction was expressed by several speakers with the work accomplished by the Mandatory Powers, and the relatively small number of petitions emanating from the various native populations was regarded as evidence of the healthy state of the system of mandates.

*Slavery*

Little comment was made on the question of slavery, the Committee confining itself to a review of what had been accomplished since the last Assembly. Abyssinia sent in a list of slaves recently liberated, and the Italian delegate told of the efforts to stamp out the slave trade in the Italian colonies. The number of ratifications or final accessions to the Slavery Convention of 1926 has increased from 13 to 26, and the hope was expressed that certain States would see fit to accede in order to ensure the universal application of the Convention.

*Intellectual Co-operation\**

In presenting his report on the work of the International Committee on Intellectual Co-operation and of the Institute of Intellectual Co-operation, M. Gallavresi (Italy) reviewed the work already accomplished and pointed out some of the problems that were being studied by this branch of the League organization. He referred particularly to the Sub-Committee for University Relations, to the results of the Rome Conference on Copyright (which had recognized the moral right of an author over his work), and to the methods now being evolved regarding the instruction of youth in the existence and aims of the League of Nations.

In the discussion of the report, many phases of the Committee's work were touched on by the Polish, South African, Austrian and New Zealand delegates. The representative of Canada (Dr. Riddell) strongly supported that aspect of the Committee's work dealing with the education of the young in the aims and ideals of the League, stating that, as permanent representative accredited to the League, he received many enquiries on this subject.

\* This question would normally have been referred to the Second Committee; as the latter, however, had a very heavy agenda, the Assembly referred it to the Sixth Committee.

The resolution finally presented to the Assembly for approval noted the work accomplished in the various fields and called the attention of Governments to the danger of moving pictures or broadcasting performances characterized by a spirit antagonistic to that of the League. It further requested the Governments to give the fullest possible effect to the resolutions of the Committee on Intellectual Co-operation, especially those regarding the creation of an information bureau in the national or central building of every State, the preservation of prints and manuscripts, the preservation of primitive languages which are dying out, and the suppression of customs duties on prints sent to libraries and recognized institutes.

*Establishment of Armenian Refugees in the Republic of Erivan<sup>1</sup>*

The representative of Canada (Dr. Riddell) was appointed Rapporteur to the Assembly on this question.

It was decided to recommend to the Assembly that the work of establishing Armenian refugees in the Republic of Erivan should be carried out under the auspices of the League.<sup>2</sup> The settlement is to be carried out under the direction of Dr. Nansen, High Commissioner for Refugees, and funds have been offered by Germany, Greece, Norway and Roumania, and by the Armenian organizations. As the German Government's offer of a credit of a million Reichsmarks is conditional on at least four other Governments taking part in the work, the Council was asked to continue negotiations with certain Governments which had indicated that it might be possible for them to contribute, so that this condition might be fulfilled.

W. L. MACKENZIE KING,  
 RAOUL DANDURAND,  
 CHARLES A. DUNNING,  
 O. D. SKELTON,  
 PHILLIPPE ROY,  
 W. A. RIDDELL.

<sup>1</sup> This question would normally have been referred to the Fifth Committee; as the latter, however, had a very heavy agenda, the Assembly referred it to the Sixth Committee.

<sup>2</sup> The Fourth Committee voted the sum of 50,000 francs to meet the administrative expenses of the work.







EA  
R21

DOMINION OF CANADA

REPORT  
OF THE  
CANADIAN DELEGATES  
TO THE  
TENTH ASSEMBLY OF THE  
LEAGUE OF NATIONS

---

GENEVA, SEPTEMBER 2 TO 25, 1929



OTTAWA  
F. A. ACLAND  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1929

*Price, 25 cents.*





DOMINION OF CANADA

REPORT  
OF THE  
CANADIAN DELEGATES  
TO THE  
TENTH ASSEMBLY OF THE  
LEAGUE OF NATIONS

---

GENEVA, SEPTEMBER 2 to 25, 1929



OTTAWA  
F. A. ACLAND  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1930

## TABLE OF CONTENTS

	PAGE
Organization of Tenth Assembly.....	3
Plenary Meetings of the Assembly	
General Debate .....	4
Elections to the Council.....	8
Elections to the Permanent Court.....	8
Report of 56th and 57th Sessions of the Council.....	8
First Committee (Legal and Constitutional Questions).....	9
Second Committee (Technical Organizations).....	16
Third Committee (Reduction of Armaments).....	30
Fourth Committee (Budget and Financial Questions).....	37
Fifth Committee (Social and Humanitarian Questions).....	39
Sixth Committee (Political Questions).....	41

# REPORT OF THE CANADIAN DELEGATES TO THE TENTH ASSEMBLY OF THE LEAGUE OF NATIONS

---

TO HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL:

The Tenth Ordinary Session of the Assembly of the League of Nations was held in Geneva from September 2 to September 25, 1929.

## ORGANIZATION

Delegates from fifty-three States were present, an increase of three over last year, the three additional States being Peru, Bolivia and Honduras; Brazil and Argentina were not represented.

For the Tenth Assembly, which was felt to be a landmark in the history of the League, most countries sent very strong delegations. There were present seven Prime Ministers or Heads of States actually in office, nine former Prime Ministers or Heads of States, twenty-three Ministers of Foreign Affairs, thirteen former Ministers of Foreign Affairs, and twenty-three delegates with a rank corresponding to that of Cabinet Minister.

Canada's delegation was headed by the Hon. Raoul Dandurand, Leader of the Government in the Senate, supported by the Hon. J. C. Elliott, Minister of Public Works, and the Hon. W. D. Euler, Minister of National Revenue, with the following as alternate delegates: the Right Hon. Sir George Foster, the Hon. Philippe Roy, Minister for Canada in France, Miss Agnes C. Macphail M.P., Malcolm McLean, M.P., and W. A. Riddell, Dominion of Canada Advisory Officer accredited to the League of Nations.

The election of the President of the Assembly, the six vice-presidents, and the chairman of the six committees, who together constitute the General Committee of the Assembly, resulted as follows:—

### *President*

M. Guerrero (Salvador)

### *Vice-Presidents*

M. Briand (France)	M. Balodis (Latvia).
M. Stresemann (Germany)	Mr. Ramsay MacDonald (Great Britain).
M. Adatei (Japan).	Dr. Chao-Chu-Wu (China).

### *Chairmen of the Committees*

First Committee (Legal and Constitutional Questions):

M. Scialoja (Italy).

Second Committee (Technical Organizations):

M. Motta (Switzerland).

Third Committee (Reduction of Armaments):

M. Benes (Czechoslovakia).

Fourth Committee (Budget and Financial Questions):

Count Moltke (Denmark).

Fifth Committee (Social and Humanitarian Questions):

Mr. O'Sullivan (Irish Free State).

Sixth Committee (Political Questions):

M. Janson (Belgium).



The Canadian Delegation was represented on the six committees as follows:—

First Committee:

Hon. R. Dandurand.  
Hon. J. C. Elliott.

Second Committee:

Hon. W. D. Euler.  
Mr. Malcolm McLean.

Third Committee:

Rt. Hon. Sir George Foster.  
Miss Agnes Macphail.

Fourth Committee:

Hon. J. C. Elliott.  
Hon. Philippe Roy.

Fifth Committee:

Mr. Malcolm McLean.  
Miss Agnes Macphail.

Sixth Committee:

Hon. R. Dandurand.  
Dr. W. A. Riddell.

## PLENARY MEETINGS OF THE ASSEMBLY

### *(a) General Debate*

The Tenth Ordinary Session of the Assembly of the League of Nations is considered to have been one of the most productive and most constructive meetings in the whole history of the organization, and its success was in no small measure due to the special circumstances under which it met. The first session of the Conference at The Hague, which was looked upon as a final liquidation of the war period, had ended; the League had completed its first ten years of existence and the doubts and fears of these first years had yielded at last in the face of the tested worth of the new instrument of international co-operation. The evacuation of the occupied areas, under way at the time, the impending adjustment of the Reparations claims, and the renewed hope of ultimate naval disarmament, all combined to create the favourable international situation by which the Assembly profited.

### *Development of Compulsory Arbitration*

The outstanding achievement of the Tenth Assembly was undoubtedly the sudden harvest of signatures of what is known as the Optional Clause of the Statute of the Permanent Court of International Justice. It will be remembered that when the Court was first contemplated, it was the intention of the framers of its constitution that whenever two States found themselves engaged in a dispute of the kind the Court was created to deal with, they should automatically go before it without either having the right to refuse. In the final revision of the Court Statutes, obligatory arbitration was abandoned in order to secure the unanimous acceptance of the Court's constitution by the members of the League. Provision, however, was made in Article 36, paragraph 2 of the Statute for the voluntary acceptance of the compulsory jurisdiction of the Court in legal disputes concerning:

- (a) The interpretation of a Treaty;
- (b) Any question of international law;
- (c) The existence of any fact which, if established, would constitute a breach of an international obligation;
- (d) The nature or extent of the reparation to be made for the breach of an international obligation.

The gradual increase in the number of States signing the Optional Clause has been, therefore, a useful index of the Court's growing influence in the world. Through the eight years of the Court's existence, signatures of this Clause have been dropping in one by one. The Canadian Government had notified the Secretary General of the League in 1925, that it was ready to consider the

acceptance of the Optional Clause and in February, 1929, had advised the other Members of the British Commonwealth of Nations that it considered signature desirable. On the 20th September, 1929, five days after the Irish Free State had signed without reservations, the representatives of the United Kingdom, Canada, Australia, New Zealand, Union of South Africa, and India affixed their signatures to the Optional Clause subject, *mutatis mutandis*, to the reservations set out in the following declaration:—

“On behalf of His Majesty’s Government in Canada, and subject to ratification, I accept as compulsory *ipso facto* and without special convention, on condition of reciprocity, the jurisdiction of the Court in conformity with Article 36, paragraph 2, of the Statute of the Court, for a period of ten years, and thereafter until such time as notice may be given to terminate the acceptance, over all disputes arising after the ratification of the present declaration with regard to situations or facts subsequent to the said ratification, other than:—

‘Disputes in regard to which the parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement, and

‘Disputes with the Government of any other Member of the League which is a Member of the British Commonwealth of Nations, all of which disputes shall be settled in such a manner as the parties have agreed or shall agree, and

‘Disputes with regard to questions which by international law fall exclusively within the jurisdiction of the Dominion of Canada,

‘and subject to the condition that His Majesty’s Government in Canada reserve the right to require that proceedings in the Court shall be suspended in respect of any dispute which has been submitted to and is under consideration by the Council of the League of Nations, provided that notice to suspend is given after the dispute has been submitted to the Council and is given within ten days of the notification of the initiation of the proceedings in the Court, and provided also that such suspension shall be limited to a period of twelve months or such longer periods as may be agreed by the parties to the dispute or determined by a decision of all the Members of the Council other than the parties to the dispute’.”

While signing with these reservations, the representatives of Canada and South Africa indicated, that while in their opinion legal disputes between Members of the British Commonwealth might properly go before the Court, as a matter of policy they preferred to have them dealt with by other means.

In all some fifteen nations signed the Optional Clause at this session of the Assembly of the League. Among them, in addition to the Members of the British Commonwealth were France, Italy, and Czechoslovakia. Assuming that ratification by all fifteen signatories does follow, the total number of States which have voluntarily bound themselves to accept the Court’s jurisdiction in all appropriate cases is raised to thirty-two, which is more than half the membership of the League.

Another development of almost equal importance in the scope and authority of the Court is the approval by the Assembly of the Protocol embodying the agreement between League Members and the United States as to the conditions on which the latter country could join the Court. If and when the draft Protocol, thus approved by the Assembly is ratified by all States which have ratified the Protocol of December 16, 1920, and accepted by the Senate of the United States, that country will become a full member of the Court and her delegates will be present to sit with the Council and Assembly when it falls to these bodies to re-elect the bench of judges of the Permanent Court.

These extensions of the sphere and authority of the Court were accompanied by certain changes in its structure, which were foreshadowed at the Ninth Assembly of the League, when a Committee was appointed to revise the Statutes of the Court, not on any fundamental point, but on certain particular details, in the light of the experience of its seven years work. There were four main points regarding which changes in the existing Statutes were proposed and finally approved. In the first place the Court is now to regard itself as in

perpetual session instead of sitting only from the middle of June each year. As this extension of the Court's sessions made additional demands on its judges, it was decided to increase their salaries to something over \$18,000 a year, with special allowances for the President and Vice-President of the Court. The qualifications of the judges were made somewhat more exacting, it being laid down that no judge may exercise any political or administrative function, or engage in any other occupation of a professional nature. A further change, dictated by experience, was the appointment of fifteen full judges instead of eleven full judges and four deputy judges as at present.

In this general connection, it may be noted that the general Act on Arbitration and Conciliation framed at the Assembly of 1928, has already received the adherence of four or five countries, and may be expected to figure prominently on the agenda of the next Assembly.

### *The Amendment of the Covenant*

It will be remembered that at the 1928 Assembly the Lithuanian representative proposed that the Covenant of the League should be amended so as to bring it into harmony with the provisions of the Kellogg Pact, which almost all members of the League of Nations had accepted. The proposal was rejected as premature at the moment when the Kellogg Pact had only been signed and not ratified. Circumstances had altered when at the 1929 Assembly Great Britain put forward a very similar suggestion which this time secured the general approval of the Assembly. Mr. Henderson moved that "it is desirable to re-examine Article 12 and Article 15 of the Covenant of the League, in order to determine whether it is necessary to make any modifications therein." This resolution was referred to a special committee, which will report to all governments with a view to definite action being taken in the course of the Eleventh Assembly, in 1930.

### *Removal of Trade Barriers*

The starting point of all the League's economic work in the last two years has been the series of resolutions drawn up by the World Economic Conference of 1927, and, in particular, the declaration by that Conference that the general level of tariffs in the world has been raised too high and that the time has come to move in the opposite direction. Acting on this suggestion, Great Britain and France introduced a joint resolution recommending that "States should agree not to increase their protective tariff above the present level for a period of from two to three years or to impose new protective duties or create new impediments to trade. It is understood that this undertaking should not lead to any relaxation in the efforts which States are making to reduce their tariff to the greatest possible extent by autonomous or bilateral action in conformity with the recommendations of the World Economic Conference." It was decided to call a preliminary Economic Conference of the States endorsing the object of this resolution at which they could work out the terms of the proposed tariff truce. Of the general proposition that existing trade barriers delayed and, indeed, endangered the economic recovery of Europe, there was little criticism in the Assembly. But when the implications of the Franco-British proposal which had been referred to the Second Committee for examination, were realized, the representatives of the British Dominions voiced their dissent. Spokesmen for Australia, South Africa, and the Irish Free State declined to accept any international obligations which might interfere with their free exercise of tariff autonomy.

The Canadian delegate on the Second Committee, Hon. W. D. Euler, after referring to the special factors involved in Canada's neighbourhood to a highly industrialized country like the United States, concluded as follows:—

"Given the circumstances to which I have referred, due to the dangerous developments of tariffs in other countries and the fact that it may consequently be necessary to find other



markets for Canadian products, given also the probability that at no very distant date an economic conference of the Members of the British Empire will be called, I feel that Canada should reserve entire liberty of action."

A number of the nations of Continental Europe, on the other hand, were prepared to welcome the proposal for a tariff truce as an experimental approach to the economic unification of Europe which M. Briand had adumbrated in his speech to the Assembly. M. Briand invited the delegates to contemplate the possibility of creating the "United States of Europe." He did not formulate any specific proposals or ask the Assembly to decide whether the scheme was feasible or desirable. His initial suggestion that the time was perhaps ripe for the consideration of such a project, was frankly a *ballon d'essai*. The Assembly was at once interested and German, Swiss, and Czechoslovak delegates endorsed the idea as deserving of further study, but agreed with M. Briand that more intimate economic co-operation was a condition precedent to any plan for political union.

As the question is likely to be more thoroughly explored at the next Assembly, M. Briand's statement of his position may be quoted:—

"I think that, among peoples constituting geographical groups like the peoples of Europe, there should be some kind of federal bond; it should be possible for them to get into touch at any time to confer about their interests, to agree on joint resolutions, and to establish among themselves a bond of solidarity which will enable them, if need be, to meet any grave emergency that may arise. That is the link I want to forge."

### *Disarmament*

The Assembly's examination of past progress toward this goal was inevitably influenced by the impending effort of the great naval Powers to achieve the limitation and, if possible, the reduction of naval armaments. For the time being, the task of disarmament was being borne by other shoulders and in consequence the Assembly's activities in this direction were largely limited to the further study of the draft agreement for the limitation of land and air armaments and trained reserves. This enquiry was pursued in the sessions of the Third Committee and is described in some detail in the attached record of its proceedings. The discussion of disarmament in the plenary sessions tended to turn on the old question of precedence—is security the necessary prior condition of disarmament—or does disarmament anticipate and ensure security? It was generally felt that as the naval difficulty, which had temporarily held up the work of the Preparatory Commission, was in a fair way to settlement, it was better to await the results of the negotiations initiated by Great Britain in the hope that they might make possible an early resumption of general discussion of the whole question of disarmament.

### *Minorities*

The discussion of this question in the Assembly was largely devoted to the effect of the changes in procedure which the Council had approved at its meeting in Madrid in June. The Japanese delegate who had submitted the report to the Council in which these changes were recommended, claimed that they constituted a substantial improvement in the Minorities procedure and represented the most that the Council could do. The Canadian delegate, who had taken the initiative in securing the revision of the former procedure, felt that the new method while a great improvement was still unsatisfactory. In this opinion he was strongly supported by Dr. Stresemann who felt that the whole question of Minority treatment required careful review. Count Apponyi, the Hungarian delegate, took a similar line, urging that the existing obligations were inadequate and discriminating. He pleaded for the universal acceptance, by all States members of the League, of the obligations imposed on the former enemy and succession States by the Treaties of Paris. It was generally recognized

that judgment upon the new regulations was at the time premature. Experience of their operation would determine their adequacy, or indicate the need for a special organization to deal with Minority questions.

Other points in the debate were the discussion of the draft Convention on Financial Assistance to States victims of aggression, references to Mandates, particularly in connection with the recent troubles in Palestine, a Norwegian proposal seeking to define the exact relation between the proposed International Bank and the League, criticism of the League for sponsoring too many Conventions which had been ratified by only a small number of States, disapproval (by the Delegates of Portugal and Denmark) of the system of election of non-permanent Members to the Council, a Finnish proposal to confer on the Permanent Court of International Justice jurisdiction as a tribunal of appeal in respect of arbitral tribunals established by States, and a Chinese proposal calling for the revision, under Article 19 of the Covenant, of treaties which had become inapplicable.

#### *(b) Elections to the Council*

On September 9 the Assembly elected Poland, Jugoslavia, and Peru, to seats on the Council in succession to the retiring Members: Poland, Roumania and Chile. Poland had been given a vote of re-eligibility in 1926; in the election held this year out of a possible fifty-three votes, Poland received fifty, Jugoslavia forty-two, and Peru thirty-six. Other countries which received votes were Norway twenty-two, Uruguay five, and Denmark, Greece, Lithuania and Sweden one each.

#### *(c) Elections to the Permanent Court of International Justice*

In accordance with the Statute of the Permanent Court of International Justice, the Assembly and the Council on September 19 proceeded independently to the election of successors to the late M. Weiss and the late Lord Finlay. Fifty-two States voted in the Assembly, giving Sir Cecil Hurst, Legal Adviser of the Foreign Office of Great Britain, forty votes, and M. Henry Fromageot, Legal Adviser of the French Ministry of Foreign Affairs, thirty-seven. As a majority vote had been obtained in favour of the same candidates in the election held concurrently by the Council, both Sir Cecil Hurst and M. Fromageot were declared elected as Members of the Court.

### MEETINGS OF THE COUNCIL

The Fifty-sixth and Fifty-seventh Sessions of the Council were held from August 30 to September 6 and from September 13 to September 25 respectively, under the presidency of the Persian Representative.

In addition to the usual routine in connection with the work of the Assembly, the Council was occupied with a number of minority petitions emanating from Upper Silesia and also one from a group of Russians living in Lithuania, with the Hungarian Optants question, the problem of prison reform, the reports of the Mandates Commission and the economic work of the League. On the suggestion of Mr. Henderson, who had been named Rapporteur on the Optants dispute, negotiations between the representatives of Roumania and Hungary are to be resumed at an early date. With regard to the question of prison reform, the matter is to be taken up in detail at the next Session of the Council.

The report of M. Procopé (Finland) on Mandates brought forth certain comments both on the question of the proposed administrative, customs and fiscal union of Tanganyika with Kenya and Uganda, and the recent riots in Palestine. The Italian representative felt that a fusion of Tanganyika with

the other territories could not perhaps be held to be absolutely legitimate. In reply, Mr. Henderson assured his colleagues that the proposals of the Hilton Young Commission were still under consideration, and that, before a definite decision was taken, the Permanent Mandates Commission would be communicated with.

The point emphasized in the Report to the Council on the economic work of the League was the question whether the various Governments could not encourage a greater consumption of sugar by the lowering of the excise duty. Governments are to be invited to have their observations or comments on the question forwarded to the League by March 30, 1930.

In connection with the problem of smuggling, Mr. Procope suggested the following:—

“Any vessel obviously engaged in smuggling certain produce or serving as the place in which such smuggled goods are stored can be seized on the high seas by the authorities of the country to which the smuggled goods are being taken or which is threatened by the results of such smuggling. Countries can also, after seizing the vessel, apply their laws in regard to smuggled goods and in regard to the penalties imposed on the crew of such vessels”.

The Council took note of the above, it being understood that it did not imply any opinion on the substance of the idea on their part.

After having had the matter under consideration for some years, the Council at its Fifty-sixth Session decided to reduce the number of annual meetings from five to four so that in future there will be two meetings about the time of the Assembly, a further meeting on the third Monday of January, and the fourth on the second Monday of May.

## FIRST COMMITTEE

### (LEGAL AND CONSTITUTIONAL QUESTIONS)

#### *Revision of the Statute of the Permanent Court*

The 1928 Assembly had adopted a resolution in which the Council's attention was drawn to the advisability of proceeding to the examination of the Statute of the Permanent Court with a view to the introduction of such amendments as might be desirable, and to the submission of the necessary proposals to the next ordinary session of the Assembly.

A Committee of twelve members, aided by the President and Vice-President of the Court, was accordingly appointed, and its recommendations and suggested amendments were submitted to the Council at its June Session in Madrid. The Council then decided to convoke in September a Conference of all States Signatories of the Statute of the Court. The Conference met in Geneva on September 4, under the chairmanship of Jonkheer Van Eysinga (Netherlands) assisted by two Vice-Presidents, Prince Varnvaidya (Siam) and Sr. Urrutia (Colombia).

The Conference held five meetings and from the beginning practically all the States represented expressed willingness to accept the proposed revision without any further alterations. The changes and the new Articles refer particularly to the election of and increase in the number of judges, and the question of procedure with regard to advisory opinions. In referring to the latter point, Sir Cecil Hurst explained that there existed in the United States considerable apprehension in connection with advisory opinions, and that it would be necessary to show the extent to which the opinions given bound the Council, and to point out that Article 13 of the Covenant, especially the last paragraph which provided for the case of failure to carry out an award, did not apply to advisory opinions.



Objection was raised in the Conference to limiting the number of judges to fifteen, and the Polish representative desired to reserve the right of the Council and the Assembly to increase the number. His proposal was defeated after a vigorous speech had been made by the Canadian Delegate, who pointed out the possible evils which such a reservation might entail in the future. Opposition was also raised by certain Delegates to the recommendation dealing with the nomination of judges by the national groups, it being considered to be against the spirit of the Statute to dictate the procedure to be followed by national groups. In spite of this opposition both in the Conference and in the Assembly, the following recommendation was approved:

"The Conference recommends that, in accordance with the spirit of Articles 2 and 39 of the Statute of the Court, the candidates nominated by the national groups should possess recognized practical experience in international law and that they should be at least able to read both the official languages of the Court and to speak one of them; it also considers it desirable that to the nominations there should be attached a statement of the careers of the candidates justifying their candidature".

A further provision of the Statute, originating from the Government of Brazil, provides that countries which are not Members of the League will participate on an equal footing with Members of the League in the election of judges. The new Statute enters into force September 1, 1930, but the present members of the Court will continue under the existing Statute until their term of office expires on January 1, 1931. The Protocol for the Revision of the Court Statute has, so far, been signed by the forty-eight following States:—

South Africa,	France,	Norway,
Australia,	Great Britain,	Panama,
Austria,	Germany,	Paraguay,
Belgium,	Guatemala,	Peru,
Bolivia,	Greece,	Persia,
Brazil,	Haiti,	Poland,
Bulgaria,	Hungary,	Portugal,
Canada,	India,	Roumania,
Chile,	Irish Free State,	Salvador,
China,	Italy,	Siam,
Colombia,	Latvia,	Spain,
Czechoslovakia,	Liberia,	Sweden,
Denmark,	Luxembourg,	Switzerland,
Dominican Republic,	Netherlands,	Uruguay,
Estonia,	New Zealand,	Venezuela,
Finland,	Nicaragua,	Jugoslavia.

*Question of the Adherence of the United States of America to the Protocol of Signature of the Statute of the Permanent Court of International Justice*

In presenting his Report to the Assembly, M. Politis (Greece), Rapporteur, reviewed the negotiations leading up to the present discussion and pointed out that no difficulty had at any time been felt with regard to the acceptance of the conditions laid down by the United States in the Senate resolution of January 27, 1926, in so far as they relate to advisory opinions. His statement on the question follows:—

"Misapprehension appears to exist in the United States as to the powers of the Council to give effect to the opinions rendered by the Court on questions submitted to it by the Council or the Assembly. It has, for instance, been suggested that the provisions of the concluding paragraph of Article 13 of the Covenant would enable the Council to oblige the Members of the League to resort to war for the purpose of enforcing such an opinion.

"This view is erroneous. The last paragraph of Article 13 relates only to awards or decisions, not to advisory opinions. Advisory opinions are given by the Court at the request

only of the Council or the Assembly of the League and in general only for the purpose of guiding the organs of the League or the International Labour Office in questions which come before those bodies in the execution of their duties. They are opinions only and in theory are not binding. Even in cases where an advisory opinion was asked for by the Council or the Assembly at the request of individual States which preferred to submit their disputes to judicial settlement through the machinery of an advisory opinion rather than by direct submission to the Court, the powers of the Council would not go beyond its general duty of securing respect for treaty engagements by ensuring that parties which submit their dispute for decision by a tribunal shall execute in good faith the decision which may be rendered. The power of the Council under Article 13, paragraph 4, in connection with awards or judicial decisions, is limited to 'proposing' measures for the purpose of giving effect to them. It cannot do more. It certainly could not oblige States to take measures which would violate their treaty engagements'".

The draft Protocol was adopted by the Assembly without discussion, and was forthwith opened for signature. It has been signed by fifty States, namely:

South Africa,	France,	New Zealand,
Australia,	Germany,	Panama,
Austria,	Great Britain,	Paraguay,
Belgium,	Greece,	Peru,
Bolivia,	Guatemala,	Persia,
Brazil,	Haiti,	Poland,
Bulgaria,	Hungary,	Portugal,
Canada,	India,	Roumania,
Chile,	Irish Free State,	Salvador,
China,	Italy,	Siam,
Colombia,	Japan,	Spain,
Cuba,	Latvia,	Sweden,
Czechoslovakia,	Liberia,	Switzerland,
Denmark,	Luxembourg,	Uruguay,
Dominican Republic,	Netherlands,	Venezuela,
Estonia,	Nicaragua,	Jugoslavia.
Finland,	Norway,	

*Proposal of the Government of Finland to Confer on the Permanent Court of International Justice Jurisdiction as a Court of Review in Respect of Arbitral Tribunals Established by States.*

The Delegation of Finland felt that the very nature of jurisdiction made it essential that on certain conditions resort might be had to a higher authority than that which had rendered a disputed decision. It was pointed out that the aim of the proposal was to confer on the Court jurisdiction in regard to disputes relating to the absolute absence of jurisdiction of another tribunal, or in the case of another tribunal exceeding its powers. The proposal did not intend in any way to confer on the Court the functions of a judge of appeal. Where a court wrongly defined jurisdiction, it should be regarded as being of the same nature as cases where the court exceeded its powers. The Norwegian Delegate pointed out that, in the Finnish draft, it was proposed that specific jurisdiction should be given to the Court, a proceeding which would imply that the jurisdiction in question would be something entirely new, whereas in the case of States which were bound by Article 36 of the Statute of the Court, the Court was already vested with such jurisdiction. In certain cases, however, there were other treaty provisions which prevented its being exercised as between the parties. The Norwegian Delegation therefore proposed an amendment eliminating reference to giving specific jurisdiction to the Court.

The Assembly decided to invite the Council to submit to examination the question, "What would be the most appropriate procedure to be followed by States desiring to enable the Permanent Court of International Justice to assume

in a general manner, as between them, the functions of a tribunal of appeal from international arbitral tribunals, in all cases where it is contended that the arbitral tribunal was without jurisdiction or exceeded its jurisdiction?" The results of the above inquiry are to be communicated to the various Governments with a view to discussion at a future session of the Assembly.

*Amendment of the Covenant of the League of Nations as a Result of the General Adhesion of the Members of the League to the Paris Pact*

This same proposal had been brought up during the Ninth Assembly by Professor Voldemaras (Lithuania), but it had been then considered not ripe for discussion. In a long detailed statement, Sir Cecil Hurst pointed out the changes which the British Delegation considered to be necessary to harmonize the Covenant with the Briand-Kellogg Treaty. Referring to Article 12, he pointed out that, although war was excluded for a period of three months after the award by the arbitrators, or the judicial decision, or the report by the Council in cases of disputes or ruptures between States, it would be necessary to bring the Article into line with the Paris Pact by adding the essence of Article 2 of that Pact, viz: "and they agree that they will in no way resort to war."

If the above change is accepted, two minor amendments to other provisions of the Covenant will be necessary. The first one would be a change in the fourth paragraph of Article 13, which would then read:—

"The Members of the League agree that they will carry out in good faith any award or decision that may be rendered, and in the event of any failure to carry out such award or decision, the Council shall propose what steps shall be taken to give effect thereto."

The other change would be in the sixth paragraph of Article 15. Here the change would not be so simple because in submitting a justiciable dispute to a body which can give a binding decision, there was the obligation to accept the decision, which was recognized in the above phrase of Article 13, but when the States were submitting to the conciliatory proceedings of the Council there was not, and there could not be, any similar obligation to accept the recommendations of the Council. It was therefore necessary to oblige States not to go to war at all. It was necessary to change the Covenant so that even in certain cases the right to go to war could not remain open, because here they would be resorting to war as an instrument of national policy. He would therefore suggest that, following unanimous agreement on some question or dispute, Members of the League reserve the right to take such action as is deemed necessary for the maintenance of right and justice, other than a resort to war.

Although for the vast majority of States the Pact of Paris had become a reality, Sir Cecil Hurst did not consider it necessary to make any changes in two of the Articles of the Covenant.

- (a) Article 10: It would be extremely dangerous to amend Article 10 on account of the wide divergence of views; for example, some States desired its complete abolition from the Covenant, while others considered it to be the keystone of the arch of security which the League gave them.
- (b) Article 16, dealing with sanctions: If the obligations under Articles 12, 13 and 15 were extended, the obligations under Article 16 would also be extended. The application of sanctions was only a burden if other States actually did resort to war, but the more the possibility of war was reduced, the less possibility there was of having to apply sanctions, and therefore the obligations in Article 16 would appear to be more of a theoretical than a practical extension.

In conclusion, Sir Cecil Hurst was of the opinion that his proposed amendments were so modest that the present Assembly could handle them immediately.



Sr. Cornejo (Peru) considered that, as war was henceforth forbidden as an instrument of national policy, decisions of the Council regarding the settlement of a dispute need no longer be unanimous, but that a majority vote would suffice.

The representative of Denmark considered that it was unnecessary to amend the Covenant, but that a new Article 17 (a), which would be the Kellogg Pact, should be incorporated in the Covenant. In reply to this suggestion, the Swedish Delegates felt that, if the Kellogg Pact were introduced bodily into the Covenant, they would find themselves interpreting it without the assistance of certain of the Powers that had signed it. He pointed out that, while the British Delegation desired that in no case could a Member of the League resort to war, under the Kellogg Pact war could be decided upon in the case where a signatory of the Kellogg Pact had violated its obligations. He would therefore propose deleting the phrases in the Covenant which were incompatible with the Pact, and he would not substitute any other terminology.

In view of the importance of the discussion in the Committee, it was felt desirable not to try to rush through the changes during the Tenth Assembly. The Report of the Committee, which was accepted by the Assembly, invites the Council to appoint a Committee of eleven persons to report on the amendments to the Covenant of the League which are deemed necessary to bring it into harmony with the Pact of Paris. This Committee is to meet during the first few months of 1930, and the result of its deliberations will be communicated to the Members of the League so that action may be taken on the question at the next Assembly. The proposed amendments follow:—

*Article 12 (1) to be amended to read as follows:—*

"The Members of the League agree that if there should arise between them any dispute likely to lead to a rupture they will submit the matter either to arbitration or judicial settlement or to inquiry by the Council, and they agree that they will in no case resort to war."

*Article 13 (4) to be amended to read as follows:—*

"The Members of the League agree that they will carry out in full good faith any award or decision that may be rendered. In the event of any failure to carry out such an award or decision, the Council shall propose what steps should be taken to give effect thereto."

*Article 15 (6) to be amended to read as follows:—*

"If a report by the Council is unanimously agreed to by the members thereof other than the Representatives of one or more of the parties to the dispute, the Members of the League agree that as against any party to the dispute that complies with the recommendations of the report they will take no action which is inconsistent with its terms"

*Article 15 (7) to be amended to read as follows:—*

"If the Council fails to reach a report which is unanimously agreed to by the members thereof other than the Representatives of one or more of the parties to the dispute, the Members of the League reserve to themselves the right to take such action as they shall consider necessary for the maintenance of right and justice other than a resort to war."

A suggestion of the Delegate of Peru was not acted upon. It was to the effect that a committee should be established to study some form of declaration specifying that a treaty of peace imposed as a result of war, entered upon in breach of the Peace Pact and the Covenant, should not be recognized by the League.

*Application of Article 19 of the Covenant of the League Regarding the Reconsideration of Treaties which have become inapplicable.*

Draft Resolution proposed by the Chinese Delegation on September 10, 1929:—

"The Assembly:

"Considering that Article 19 of the Covenant of the League of Nations, which provides that

'The Assembly may from time to time advise the reconsideration by Members of the League of treaties which have become inapplicable and the consideration of international conditions whose continuance might endanger the peace of the world.'

is one of the most essential Articles of the Covenant in the cause of international co-operation and peace;

"Observing that, nevertheless, it has not once been acted upon during the decade of the existence of the League;

"Believing that such inaction has been due to the fact that the Assembly has not had the necessary assistance and advice:

"Hereby resolves that there shall be appointed a Committee to consider and report on the best methods to make effective the above-mentioned Article."

In accordance with his statement in the Assembly, Mr. Wu placed before the First Committee the above draft resolution asking that a Committee be appointed to study means of giving effect to Article 19 of the Covenant. He pointed out that his resolution had reference to the unequal treaties and conventions to which his country was subjected. The representatives of Germany, Persia and India supported the proposal. Mr. Noel Baker (Great Britain) welcomed the Chinese proposal, but was not certain whether it was urgent, or even desirable at the present time.

The Hungarian representative congratulated the Chinese Delegation on its excellent proposal, and pointed out that it was Article 19 which had afforded Hungary a meagre basis for entering the League. He considered Article 19 as the complement and the indispensable corrective of Article 10.

In view of the discussion and the fact that a Belgian amendment had been proposed, a sub-committee was formed to study the question. In reporting back to the Committee, M. Pilotti (Italy) wished to say that, notwithstanding certain rumours which he deplored, the sub-committee had worked in an atmosphere of tranquillity and mutual confidence throughout. He stated that the sub-committee had not deemed it advisable to appoint a committee of inquiry as suggested in the Chinese proposal, and that the amendment proposed by the Belgian representative would be taken as the basis of the Report to the Assembly. The full resolution as adopted by the Assembly follows:—

"The Assembly:

"Having taken cognizance of the declaration by the Chinese Delegation that certain treaties formerly concluded between China and other States, being inconsistent with present conditions in China, have become inapplicable within the meaning of Article 19 of the Covenant;

"Appreciating the importance of the points as to which the Chinese Delegation feels concern;

"After having considered the resolution proposed by the Chinese Delegation which is annexed hereto;

"Considering that, under the terms of Article 19 of the Covenant of the League of Nations,

"The Assembly may from time to time advise the reconsideration by Members of the League of treaties which have become inapplicable and the consideration of international conditions whose continuance might endanger the peace of the world";

"Noting that the question of the application of Article 19 has previously been studied:

"Declares that a Member of the League may on its own responsibility, subject to the Rules of Procedure of the Assembly, place on the agenda of the Assembly the question whether the Assembly should give advice as contemplated by Article 19 regarding the reconsideration of any treaty or treaties which such Member considers to have become inapplicable or the consideration of international conditions the continuance of which might, in its opinion, endanger the peace of the world;

"Declares that, for an application of this kind to be entertained by the Assembly, it must be drawn up in appropriate terms, that is to say, in terms which are in conformity with Article 19;

"And declares that, in the event of an application in such terms being placed upon the agenda of the Assembly, the Assembly shall in accordance with its ordinary procedure discuss this application, and, if it thinks proper, give the advice requested."

*Progressive Codification of International Law*

(1) First Codification Conference

The Assembly resolution requests the Council to call the attention of the Governments invited to the Conference to the desirability of appointing without delay their representatives at the Conference, whether plenipotentiary delegates, substitute delegates, or technical delegates, in order that the Members of the Conference may be able to make a thorough study of the documentation already assembled.

(2) Committee of Experts for the Progressive Codification of International Law

Owing to the fact that only about twelve replies had been received on the questionnaires relating to the two new questions considered ripe for codification, and to the fact that some apprehension seemed to exist as to whether the Committee of Experts was to continue its labours, it was considered necessary for the Assembly to make a definite pronouncement on this point. This it did, and called the attention of the Council to the desirability of inviting that Committee to hold further sessions after the first Codification Conference.

(3) Work of the Committee of Three Jurists

In accordance with a resolution of the preceding Assembly, the Committee of Three had drawn up a scheme for the publication of certain international conventions, and a Systematic Survey of the Subjects of International Law. As the publication of these conventions would consist of several volumes of over five hundred pages each, and as considerable overlapping with other volumes would result, the Assembly, on the recommendation of the First Committee, was of the opinion that such a publication would not at present be achieved in a satisfactory manner, and that it would be necessary first of all to codify the various successive conventions which deal with certain particular subjects, so as to determine what precisely are the texts in force, and which States are parties thereto, the ultimate aim being a general codification.

*Draft Amendment to Article 7, Paragraph 1, Rules of Procedure of the Assembly*

The representatives of Belgium, Chile, Italy, Japan and Peru proposed that the Bureau of the Assembly be increased from fourteen members to sixteen, by increasing the number of Vice-Presidents from six to eight. M. Hambro (Norway), in the First Committee, opposed the increase on the ground that it would represent a quarter of the total number of States in the Assembly, and that the increase would in no way make for efficiency. In spite of the opposition the proposed amendment was adopted, by a majority of two votes. In the Assembly M. Hambro again objected, and stated that, in view of the fact that other amendments to Article 7 will be placed before the next Assembly, he thought it wiser to postpone consideration of any change until the next Assembly. This proposal was adopted.

*Ratification of International Conventions concluded under the Auspices of the League of Nations*

This proposal introduced by the Delegate of Denmark gave rise to considerable debate in the Committee. M. Andersen (Denmark) pointed out the striking difference between the number of Conventions adopted by Conferences held under the auspices of the League and signed by different governments, and the number of Treaties and Conventions which were ratified and put into force. He cited the statement made in the Assembly by Mr. William Graham (Great Britain), who said that since 1920 probably forty-five Conventions had been



drawn up by the League, of which twenty-two had made practically no progress. It was dangerous to arouse hopes which came to nothing, thus supplying arguments to sceptics and those inclined to ridicule the work done at Geneva. Since previous methods had proved inadequate, Mr. Andersen suggested:—

- (1) That a special time should be laid down in the proposed convention within which it would have to be ratified if it was to come into force, and a provision might be included whereby a new meeting of the contracting States could be held if the number of ratifications obtained on the expiration of that period were insufficient.
- (2) That at the opening of each Assembly the Delegations would report on the progress of the ratifications in their respective countries, and state the reasons for failure to ratify.

Mr. Noel Baker (Great Britain), in supporting the Danish proposal, suggested that the Council in the first instance should send a questionnaire to governments asking for information as to their practice on certain specific matters in connection with ratification, and upon the basis of material thus collected the Commission of Enquiry could make a report of the Assembly at its next session. Other views expressed were that the League should have fewer international conferences, that better preparation should be made for those which are convened, and that the Delegates on their return home could do a great deal to interest their respective governments in the ratification of conventions still outstanding.

The Delegate of Canada suggested a resolution whereby a delegate from each State would be called to the platform at the next Assembly to submit a list of ratifications deposited since the close of the last Assembly, a list of Conventions which the State does not intend to ratify, and a list of Conventions which are at present being considered.

Considerable objection was voiced as to the manner in which the documents containing the signatures and the list of ratifications were compiled. The resolution finally adopted by the Assembly took note of the various suggestions made in the First Committee, and a Committee of seven members familiar with the technical aspects of general conventions or with parliamentary and constitutional practice is to be set up to investigate the reasons for the delays in ratifications, and the means by which the number of signatures and ratifications or accessions might be increased. In addition, the Secretariat, for greater clarity, is to draw up annual double column tables indicating the position as regards signatures and ratifications of, or accessions to, the various Conventions concluded under the auspices of the League of Nations.

## SECOND COMMITTEE

### (TECHNICAL ORGANIZATIONS)

#### *Economic Work*

By far the most important question before the Second Committee was the work of the Economic Organization of the League. Interest was added to the discussion by the statement made in the Assembly by M. Hymans (Belgium), proposing a "tariff-truce" for two years, and by the public statement made by M. Briand regarding the "United States of Europe".

In submitting his Report on the work since the last Assembly, Dr. Breitscheid (Germany) made a very comprehensive review of economic conditions since the Economic Conference of 1927. None of the three methods—autonomous tariffs, bilateral treaties and collective conventions—tried out to reduce or

to stabilize tariffs had met with much success. An attempt had been made also to reduce tariffs by groups of commodities, but in connection with the question of aluminum, it had been necessary to abandon hope of arriving at a solution. With respect to the question of cement, preliminary work had already been done, and a Committee of Experts would meet in the autumn to discuss the question in detail. These were the only results of the recommendations of the Economic Conference relating to the collective reduction of tariffs.

Other speakers voiced the same disappointment at the lack of results from the work of the Economic Organization. The view was expressed that the numerous recommendations of the Economic Conference had remained ineffective largely because they had been framed by experts and not by responsible representatives of governments. The Delegates of Great Britain and France criticized the work of the Economic Consultative Committee, which had been set up after the Conference and had carried on long discussions without result. The Belgian Delegate considered that the Economic Organization should study, not particular commodities, but the whole question of trade, beginning with Europe where the situation was most serious. The Delegate of the Irish Free State complained that so far the League had done nothing for States whose economic development was in its infancy, except to ask them to deprive themselves of their only means of protection.

A number of draft resolutions were brought before the Committee of which one of the most important was a Franco-British resolution concerning a tariff-truce. The Rapporteur suggested a period of three years instead of two for the proposed truce, and considered that such an agreement would not be an end in itself, but would merely afford a breathing-space to enable States to conclude agreements for the reduction of tariffs.

In the discussion which followed there was a clear-cut division between the viewpoint of the Dominions and certain other overseas countries and that of most European countries. Thus India, the Irish Free State and Australia insisted that due consideration must be given to the peculiar circumstances of countries whose industrial development was still in its early stages. The Delegate of India could not agree to a tariff-truce, as he felt obliged to reserve the right to encourage the national industries, and his government could therefore not attend a conference which had as its object the prohibition of raising tariffs for a number of years. The New Zealand representative considered that customs tariffs as a means of raising national revenue were perfectly legitimate. South Africa emphasized the necessity of protection to young and growing countries. The representative of Canada, after analyzing Canada's peculiar position in relation to a highly industrialized country like the United States, stated that any proposal that Canada should pledge herself to throw open her markets to a nation which closes hers to the Dominion was altogether unjustified; he felt that Canada should reserve entire liberty of action.

The resolution as finally adopted provides for a preliminary conference to discuss the question of an economic truce. States which attend this conference should be prepared to consider entering into an agreement not to increase their protective tariffs above the present level for a period of from two to three years, or to impose new protective duties or create new impediments to trade; the conference would also, if necessary, elaborate a program of subsequent negotiations for facilitating economic relations by all practicable means and especially by reducing hindrances to trade. Members of the League and also non-Members are requested to intimate to the Secretary-General of the League before the end of 1929 whether they are prepared to take part in such a conference. On the basis of the replies received, the Council will decide whether the Conference should be convoked. If an agreement is reached, the States parties to it will

then begin the negotiations referred to above, and a final Conference, to which all States will be invited, will take note of the results of the negotiations and will supplement them if necessary.

A second resolution deals with the question of coal. The Governing Body of the International Labour Office is to be invited to consider the inclusion in the Agenda of the International Labour Conference of 1930 of questions relating to hours, wages and conditions of work in coal mines, with the object of agreeing upon an international convention or conventions. The Governing Body is to be further requested to consider the advisability of convening at an early date a preparatory technical conference consisting of representatives of the Governments, employers and workers of the principal coal-producing countries of Europe, in order to advise it as to what questions relating to conditions of employment in coal mines might best be included in the Agenda of the 1930 International Labour Conference, so that a practical international agreement might be reached.

A third resolution requested the Council to examine such recommendations as the Economic Committee may put forward in regard to the present conditions in the sugar industry, especially price fluctuations and the existing disproportion between supply and demand, and to consider, having regard more particularly to the results of the investigation, whether it is desirable or not to summon a meeting of the representatives of the Governments concerned to study these recommendations.

Other economic questions discussed in the Report of the Second Committee to the Assembly included the Convention for the abolition of import and export prohibitions and restrictions, and the international arrangements relating to the export of hides, skins and bones.

### *Work of the Financial Committee*

The work done by the Financial Committee falls into two categories, one dealing with subjects of a general nature, the other with work accomplished for particular States. Questions of a general character which were considered during the last year were the purchasing power of gold, the counterfeiting of currency and of other bills and securities, double taxation, a scheme of financial assistance in the case of war or threat of war, and the publication of monetary and banking laws.

Work for particular countries was done in connection with Greece, Bulgaria, the Saar Territory, Esthonia, Danzig, Austria and Hungary. The policy of the League is to withdraw its financial control as soon as possible; thus the financial supervisory organs in Austria and in Hungary have completed their task, and it is now proposed to wind up the work of the Greek Refugee Settlement Commission.

During the year a new technical organ of the League has been set up: the Fiscal Committee\*, which was created as a result of a recommendation of the Government experts on double taxation and tax evasion. Its special duties will be to study taxation questions, and to advise the Council in regard to them.

An inquiry has also been started, to examine and report on the causes of fluctuation in the purchasing power of gold, and its effect on the economic life of the nations.

---

\* The Council appointed as a corresponding member of this Committee Mr. Watson Sellar, Acting Assistant Deputy Minister of Finance.



*Relations between the Proposed Bank for International Settlements and the League of Nations*

The Delegations of Denmark, Norway and Poland presented a resolution providing for the establishment, under Article 24 of the Covenant, of relations between the League and the Bank for International Settlements which is to be set up in connection with the Young Plan. In support of this resolution, it was urged that the activity of the Bank might affect the general credit structure and therefore the economic life of all States. The Delegates of the Governments represented at the Hague Conference pointed out that the proposal was at least premature, as the details of the Bank's organization had not yet been determined and as no definite suggestion had been made as to the form which the relations between the Bank and the League should take. After a long discussion, the resolution was withdrawn; the minutes of the discussion, however, will be transmitted to the Organizing Committee of the Bank.

*Communications and Transit*

This Committee examined and approved an agreement in settlement of the difficulties which had arisen between the French, British, Italian and Roumanian Governments regarding the jurisdiction of the European Commission of the Danube.

During the year a Conference on Transit Cards for Emigrants was held, and an agreement was reached whereby emigrants proceeding to a port of embarkation will be able to travel through the various countries with fewer formalities and charges.

Preparatory work has also been undertaken for the holding of future conferences, and a further Conference has been called for the autumn of this year to study the problem of transport of newspapers and periodicals in Europe. Next year's program calls for two Conferences: one on certain questions connected with river law in Europe, and the other on the unification of buoyage and lighting of coasts. The Delegate of France thought that the question of commercial transport by air and commercial road transport by motor car should be studied, and that it would be desirable if the organization could submit proposals regarding this question to the next assembly.

The Committee noted the progress already made in connection with calendar reform. It is probable that in 1930 committees of inquiry on the question will have been established in most countries. The Fourth General Conference on Communications and Transit, which is to be held in 1931, will consider any recommendations made as a result of the inquiries of these national Committees.

*Health Organization*

In reviewing the year's work of the Health Organization, congratulations were extended to the Organization for having made further contacts with Greece, Bolivia and China, countries representing three continents. Very little criticism was offered in the Committee beyond the statement of the representative of India that he would like to see an investigation undertaken by the Health Organization into the question of infant mortality. He also suggested that the program of work of the Health Committee be drawn up for a period of five years so that the budget could be arranged accordingly.

Progress was noted and approved in connection with the work of the Malaria Commission, the Cancer Commission, the inquiry into health conditions in certain South Sea Islands, the Sleeping Sickness Conference and the health program relating to various colonial administrations.

New work to be undertaken by the Health Committee includes a reorganization of the health services of Bolivia, similar to that undertaken last year in Greece, and a study by the Leprosy Commission which is to be undertaken in the Far East in 1930.

### *Intellectual Co-operation*

For some time past it has been felt that the Organization for Intellectual Co-operation has been spreading its activities over too wide a field, and that it has not been successful in arriving at any concrete results. Accordingly in the discussion in the Committee the work of the Organization was severely criticized. It was felt that it was absolutely essential for the Organization to revise its program, its status and its methods, and there was an insistence that the Institute should make for some definite goal.

During the debate, the Hungarian representative complained about scientific and technical books published in Hungary being denied entrance to the neighbouring States. He referred particularly to the Hungarian minority in Czechoslovakia which was prevented from becoming acquainted with scientific researches written in its mother tongue, and he proposed a resolution recommending freer circulation of scientific and technical publications. The Czechoslovakian Delegate replied that his country was not seeking to deprive the Hungarian minority of its intellectual nourishment, but that the propaganda carried on by Hungary was not compatible with the security of Czechoslovakia, and that in any case the Second Committee was not a suitable platform for a manifestation against the Treaty of Trianon. On the advice of several other speakers, the Hungarian Delegate withdrew his draft resolution.

Supplementary credits were requested and granted:—

- (1) For the remodelling of the Organization for Intellectual Co-operation by means of a Committee of Inquiry which is to investigate the whole scope of the work of the Organization. The rôle of the Committee of Inquiry would not be to create a new Organization but to improve and perfect the existing one by making use of the statistics and facts which had already been collected.
- (2) For the purpose of printing and distributing the pamphlet "The Aims and Organization of the League of Nations."

In the draft resolution approved by the Assembly, reference was made particularly to the work of the International Educational Cinematographic Institute (Rome), the importance of the efforts made by the young people to establish closer international co-operation, and also the instruction of the young in the aims of the League of Nations. In connection with the latter, approval was given for the convocation in 1930 of a sub-committee of experts to study the question.

### THIRD COMMITTEE

#### (REDUCTION OF ARMAMENTS)

##### *1. Work of the Preparatory Commission for the Disarmament Conference*

The choice of a date for the convening of the Preparatory Disarmament Commission had been left by the Ninth Assembly to the discretion of M. Loudon (Netherlands), President of the Commission. On the latter's invitation, the Preparatory Commission met on April 15, and it adjourned on May 6, 1929; at this Session, which might be called "the Session of mutual concessions", an agreement was reached on two points which hitherto had been a source of friction, the limitation of the material of land armaments, and trained reserves. It will be remembered that, when it became evident that agreement could not be arrived at, either for direct limitation of land armaments or for budgetary limitation, a decision was taken to limit land armaments solely by a method of publicity of expenditure: in other words, States would agree to publish the figures showing the amount spent on land armaments. The question of trained reserves was disposed of by omitting any reference to it in the draft Convention.

The two above agreements, one positive, the second negative, were due largely to the fact that the Delegations of Great Britain and the United States announced that, as they were not particularly interested in land armaments and, by implication, in land armies, they would leave the solution of these problems to the nations which considered these armaments and armies of vital interest to their national safety.

When the Third Committee met it found itself called upon to express an opinion upon the work of the Sixth Session of the Preparatory Commission. Lord Cecil, representing the British Labour Government, disagreed entirely with the decisions taken by the Preparatory Commission in the matter of trained reserves and the limitation of land armaments, and it was evident, from the very outset, that he would do all in his power to have the discussion re-opened before the Preparatory Commission.

France, Italy, and Japan were satisfied with the *status quo*, and would have preferred that the Third Committee express approval of what had been done already and that, when the naval problem had been elucidated by conversations or a Conference, the Preparatory Commission should meet again to dispose of naval armaments and other pending matters, but not to go over the ground already traversed.

Lord Cecil, in search of a solution, decided to present a resolution, the effect of which was to centre the attention of the Third Committee on the moot points and ultimately, he hoped, to have these points reconsidered by the Preparatory Commission. As practically the whole of the discussion before the Third Committee centered round Lord Cecil's resolution, it is given here in full:—

"The Assembly,

"Being convinced that a progressive and general reduction of armaments is urgently needed throughout the world.

"Expresses the hope that the Preparatory Commission will finish its labours at the earliest possible moment.

"And considers that in completing the Draft Disarmament Convention it should consider how far the following principles have been or ought to be adopted:—

"(a) The application of the same principles to the reduction and limitation of personnel and material whether in land, sea or air forces.

"(b) The limitation of the strength of a force either by limiting its numbers or its period of training or both.

"(c) The limitation of material either directly by enumeration or indirectly by budgetary limitation or by both methods.

"(d) The recognition of a competent international authority to watch and report upon the execution of the treaty".

It is curious and worthy of note that the representative of one State, by submitting a resolution, can sometimes impart to deliberations, the special tone and character which he wishes: before the Third Committee the matter of disarmament in general was not discussed *per se* but always in relation to the Cecil resolution. It was difficult, if not impossible, for Lord Cecil to propose something the effect of which would have been to nullify the Preparatory Commission's decisions. Indirectly, however, he hoped to succeed by enumerating certain general principles which, according to him, could be considered in completing the draft Disarmament Convention. Sub-paragraphs (b) and (c) above would have permitted the re-opening of the whole discussion on trained reserves and the limitations of land armaments. France, Italy and Japan were strongly opposed to this course: among other Delegations which joined forces with them were the Netherlands, Poland, Roumania and Jugoslavia. The following, however, were favourably disposed towards the Cecil Resolution: the German, Norwegian, Danish, Swedish, Hungarian, Austrian, Chinese and Canadian Delegations.



Lord Cecil, in presenting his resolution, stated that disarmament was the only direct and positive safeguard against the outbreak of war. Agreements as to arbitration and security rested on the good faith of those who made them, and it would limit the usefulness of the League of Nations if it were said that the Assembly had no right to pass any resolution or make suggestions in regard to the work being carried on by the Preparatory Commission. He then reviewed the disarmament situation since the spring of 1927. With regard to the air arm, the broad general principles of reduction in aircraft had been established in 1927, and there had been no material advance since then. As for the naval arm, he recalled the unhappy difference of opinion which had arisen, and the resulting deadlock and adjournment of the question: the Preparatory Commission had done nothing further in the matter of naval disarmament, but a great deal had been done outside the Preparatory Commission, and he hoped that the negotiations going on at present would bring about a real advance. Of course it was desirable that there should be an agreement on the naval side of the question, but it must not be imagined that reduction and limitation of naval armaments alone were going to be any security for peace. The bulk of the fighting had always been done by troops on land, and it was vital to get a satisfactory treaty on land and air questions. The limitation of land material had not advanced one inch, and perhaps an unfriendly critic might say that in some respects there had been retrogression from the spring of 1927. He insisted upon the enormous importance of material in land warfare, and thought that it was not an extravagant possibility to suggest that, although in future there might be great national armies still in existence, they would more and more depend for their strength upon material and less upon the actual number of soldiers; it would mean an approximation of the conditions of land warfare to the conditions of warfare by sea and air.

Lord Cecil did not discuss at length or insist upon the first principle (a). With regard to Sub-paragraph (b) he admitted that it would be affectation for him to conceal the fact that this was likely to lead to considerable difference of opinion. He thought there were only two ways in which to limit the effectiveness of a land force—or indeed of any force—one was by limiting its numbers direct, the other by limiting its period of service. He considered that the Preparatory Disarmament Commission should reconsider the whole problem as, in his opinion, the solution arrived at was unsatisfactory. He attached by far the greatest importance to Sub-paragraph (c): quoting the resolution voted by the Preparatory Commission regarding limitation of armaments by a system of publicity of expenditure, he asked the members of the Committee whether they thought, really, that this was a satisfactory position in which to leave this grave question. He felt that the Committee would be failing in its duty if it did not press upon the Preparatory Commission the further consideration of the matter. If the only result of the preparatory work was to be a draft treaty which expressly excluded any reduction or limitation of material, the League would be offering to a hungry world, not bread, but a stone. As to the fourth point, (d), he was not suggesting any particular form of supervision, but he felt satisfied that to establish a disarmament treaty without providing for supervision in some form, would be a very incomplete solution of the problem entrusted to the Preparatory Commission. He concluded by making a strong appeal to the representatives of the Powers with great land armies, and particularly to the French Delegate, to accept his views. Lord Cecil's speech created a very deep impression upon the Committee, and he was warmly applauded.

M. Loudon (Netherlands), President of the Preparatory Commission, stated that he had been somewhat painfully surprised to see that the second part of the Cecil resolution was what he considered an undeserved criticism of the work

of the Commission. Referring to point (a) of the resolution, he considered that the same principles had been adopted, as regards personnel, for land and air forces, and he had no doubt that the Preparatory Commission would adopt the same conditions for the limitation of naval effectives when that chapter was reached. As regards material, he could not follow Lord Cecil. The three categories of material—land, naval and air—had appeared hitherto to be too different to be governed by the same principles. Referring to point (b), he said that limitation by numbers had been adopted, but that it had seemed difficult to the Preparatory Commission to limit the periods of military service without also limiting the periods of service in the naval and air forces. That point would be dealt with, he thought, at the next meeting of the Preparatory Commission. M. Loudon appreciated Lord Cecil's motives in submitting point (c). At its meeting of the 4th May last, after considerable discussion the Preparatory Commission had adopted by twenty-two votes to two, with one abstention, a draft Resolution submitted by the Delegations of France and the United States of America, to the effect that the "limitation and reduction of material must be sought by means of publicity". This decision, born of a spirit of accommodation on the part of States which originally favoured diametrically opposed solutions, could not be discarded without re-opening a discussion which was bound to revive differences of opinion: it would be perilous to follow such a course unless all States were now in agreement, which did not seem to be the case. Point (d) dealt with the creation of a competent international authority which would supervise the execution of the Convention: this question had not been disposed of by the Preparatory Commission, which meant to treat the matter at its next Session.

M. Massigli (France) agreed with M. Loudon, and reminded the Committee that the Preparatory Commission had already settled some of the points raised in Lord Cecil's resolution: there was a mountain of minutes to prove it, and the recommendation was therefore pointless. The texts drawn up by the Commission were compromise texts, framed after long discussion, and then recast and reshaped. The Commission had decided eventually to accept them because in the present state of affairs they seemed to be the only texts that might lead to a solution. In answer to Lord Cecil's appeal for France's co-operation, he reminded Lord Cecil of what he (M. Massigli) had done before the last Session of the Preparatory Commission. He had made an appeal for budgetary limitation of material, but his lead had not been followed. Should he then have said, "There is no agreement, so we must stay where we are?" He had compromised, and he thought that the Commission had realized the spirit in which he had done so. It was quite true that since then one of the Governments (the British) represented on the Commission had changed its attitude, but was that a sufficient reason for asking the Commission to reopen the whole question? It would be a very dangerous precedent to set, because no Government was eternal.

Count Bernstorff (Germany) shared Lord Cecil's opinion, and thought that the nations were dissatisfied with the progress made in disarmament. He recalled his statement that there seemed to be no disposition to reduce land or air forces, and that a Convention established on this basis would only afford an illusory solution which the German Government could not accept. The type of Convention recommended by the Preparatory Commission would really resolve itself into a Convention of mutual assistance against disarmament for ten years (or whatever number of years was set for the duration of the first convention). Germany was of the opinion that a convention worthy of the name should deal with four points: effectives with the colours, effectives in reserve, material in service, and material in stock. The German Government did not see why trained reserves should be left out of account in a disarmament convention, nor why the total duration of military service could not be reduced, the number of reserves limited, and their period of training shortened.



General de Marinis (Italy) agreed with the views of MM. Loudon and Massigli. A large majority of the Preparatory Commission, after extremely protracted and detailed discussion, had succeeded in reaching an agreement on a number of proposals concerning the methods to be employed for the limitation and reduction of land and air armaments. If an attempt were now made to reopen the question on which agreement had been reached, the solution of the problem would be delayed rather than advanced; it would be extremely dangerous to issue instructions to the Preparatory Commission.

M. Sato (Japan) took the same stand as General de Marinis. He doubted the advisability of rediscussing points that had been settled. After a thorough exchange of views and mutual concessions, often secured at considerable cost, the Delegates had finally succeeded in surmounting numerous difficulties and in arriving at an understanding. The effect of the adoption of the British proposal would be to jeopardize all the results already obtained.

M. Lange (Norway), supporting Lord Cecil, recalled that the President of the Preparatory Commission had requested the Delegates to interfere as little as possible with the methods of work that hitherto had been followed by the Commission. If, however, the manner in which the preparatory work was being conducted involved serious risk, ought they to refrain from expressing their misgivings? It was a great pity that the question of trained reserves had been omitted from the Preparatory Commission's Draft Convention, and that limitation of armaments by budgetary expenditure had not been adopted. Referring particularly to Lord Cecil's point (d), he was strongly in favour of the recognition of a competent international authority which would be something more than a supervisory organ: it should be a body set up to watch progress and formulate suggestions for subsequent reductions. He thought that public opinion throughout the world was extremely alarmed at the small progress the League had made in disarmament. It was not an exaggeration to say that, if the present system of armaments continued for another ten years, they would undoubtedly be involved in another war.

M. Sokal (Poland) opposed Lord Cecil's resolution on the ground that if it were accepted, the Third Committee would become a sort of court for the rehearing or annulment of decisions taken by the Preparatory Commission.

M. Munch (Denmark), in accepting the resolution, stated that the Preparatory Commission had continued its patient work year after year during which more and more agreements likely to increase the feeling of security had been concluded: nevertheless it had not been possible to obtain a definite result in practical disarmament. M. Munch thought it might be advisable to refer to the Preparatory Commission the Draft Scheme for the Reduction of Armaments prepared two years ago by the Inter-Parliamentary Union so that the Preparatory Commission might submit that draft to the Disarmament Conference, thus following the course already adopted in the case of the Disarmament Draft of the Soviet Republics. The starting point in the Inter-Parliamentary draft was the present state of armaments. A gradual reduction was proposed in all countries in which armaments exceeded a certain level; this reduction to be based on the average armaments of the country in question during the previous three or five budgetary years. After detailing the various points in the Inter-Parliamentary Union draft, he concluded by saying that it was this scheme which, in his opinion, took most fully into account the complexity of the problem of disarmament.

Sir George Foster (Canada), who was in sympathy with the Cecil resolution, said that in Canada "there were no two opinions on the necessity for disarmament. . . . There were in Canada ten millions of people with their homes and their livelihoods. They had practically no navy and no army. . . .



Ten million souls had revolted determinedly, sincerely, and permanently from the idea that Governments, dictators or bureaux could, in the future, levy upon the individual lives of the country for their use as pawns in the settlement of what were generally technical differences between nations." Sir George referred to the gradual approach of the United States of America to participation in the Permanent Court of International Justice, to the conclusion of the Paris Pact, and to the progress being made at present in regard to the reduction of naval armaments. "These were some of the indications of the sentiment . . . which was now growing stronger throughout the world—an outgrowth of the awakened moral consciousness in the nations." Referring more particularly to Lord Cecil's proposal, he asked whether the Preparatory Commission was "so set upon what it had resolved two years ago, that it was not open to the impulse, spirit and information of the succeeding years, and would it not welcome this as something which would assist it in arriving at a better solution of its arduous labours? He did not think so. . . . If the Third Committee rejected the resolution and passed no other, it would go forth to the world that it was entirely satisfied with the results so far obtained by the Preparatory Commission, but he did not think that would interpret the world's opinion. There was an expectancy growing out of the wide dissatisfaction and discontent regarding the long road traversed without adequate and appreciable results, and, if nothing were said by the Committee or the Assembly, it would constitute an affirmation by these bodies that all that could be done had been done." He concluded by stating that "the atmosphere reigning in the Assembly gave every cause for optimism, and he was convinced that, if goodwill and courteous contacts were cultivated, the future peace of the world would be secured."

M. Lone Liang (China) strongly supported Lord Cecil. Referring to the question of the limitation of land war material regarding which the Commission had openly confessed its failure to reach any real agreement, he said that no practical results had been achieved, only something entirely illusory. He recalled that the Chinese Delegation had proposed the abolition of the system of compulsory military service, considering that this was the best solution to the question of trained reserves, and one likely to lead to a diminution in the spirit of national militarism throughout the world. Although public opinion in most countries had been in favour of that proposal, as indicated by the many telegrams and letters received by the Chinese Delegation, the Commission had seemed to regard it as a purely utopian idea, and had endeavoured to side-track it. He said it would be absurd to maintain that the decisions arrived at before the Preparatory Commission were to be recorded as final and not subject to revision.

As will be seen from the above synopsis of some of the views expressed by the various Delegations, opinion was divided on the question of Lord Cecil's resolution. It was difficult if not impossible to say how the final vote would have turned out. It was thought that, had Lord Cecil's resolution been put to the vote, it would have carried by a very small majority, but this is by no means sure.

M. Politis (Greece), who had not spoken previously, proposed a compromise resolution which met with general approval and was adopted with a few minor alterations. To obviate unnecessary repetition the text of the compromise resolution as finally adopted is given below:—

"The Assembly,

"Having taken cognizance with interest of the work of the last session of the Preparatory Commission for the Disarmament Conference;

"Cordially welcoming the prospect of an early agreement between the naval powers with a view to the reduction and limitation of naval armaments, which agreement may enable the Preparatory Commission to secure general agreement on the methods to be adopted for the reduction and limitation of naval armaments;

"Taking note of the statements made in the Third Committee with regard to the principles on which, in the opinion of various delegations, the final work of the Preparatory Commission should be based;

"Noting that the solution of the disarmament problem can be attained only through mutual concessions by Governments in regard to the proposals they prefer;

"Urging in accordance with its resolution of 1928, 'the necessity of accomplishing the first step towards the reduction and limitation of armaments with as little delay as possible';

"Confidently hopes that the Preparatory Commission will shortly be able to resume the work interrupted at its last session, with a view to framing a preliminary draft Convention as soon as possible for the reduction and limitation of land, naval and air armaments;

"Decides that the Minutes of the plenary meetings of the Assembly and of the Third Committee shall be communicated to the Preparatory Commission for any necessary action".

M. Politis, in presenting his resolution, said that he had followed the debates which had centred round Lord Cecil's suggestions with the keenest interest, and the fact that he had not intervened in the discussion was due to a desire to remain impartial. He thought that the majority of the Committee did not seem disposed to accept the British suggestions for a variety of reasons which were not all reasons of substance, but in some cases reasons of method, expediency and even courtesy towards certain Powers not represented on the Committee but having taken part in the proceedings of the Preparatory Commission. On the other hand, a large number of Delegations had stated that they shared Lord Cecil's views. Among the statements made some came from Delegations which were not represented on the Preparatory Commission, and for this reason they were of particular importance. It was interesting for the Preparatory Commission to know not only the opinions of the Governments represented thereon, but also of all the others. This was how the situation appeared to him at the end of the debate, and a vote placing on record the difference of opinion would have given quite an inaccurate idea of this debate. M. Politis then went on to explain his resolution paragraph by paragraph, concluding that he was convinced that the Committee would find that the work it had done was faithfully reflected therein. It was worded in such a way that all the matters discussed, including the Inter-Parliamentary Union draft scheme for disarmament, might be referred to the Preparatory Commission, thus giving satisfaction to all those who had taken part in the debate.

Lord Cecil in replying to M. Politis noted that it had been brought out very clearly in the debates that with respect to three of the items in his resolution the result had been already obtained. It had been conceded quite definitely both by the Chairman of the Preparatory Commission and by all the speakers that points (a), (b) and (d) were still open before the Preparatory Commission; it was therefore unnecessary to press the resolution regarding those three points. With reference to point (c) it was not so obvious that the matter was still open before the Preparatory Commission, but he was not quite sure about this: however, there were statements made by the Chairman of the Preparatory Commission which rather encouraged his belief that even this point might be raised before the Preparatory Commission, and he thought that M. Politis' resolution might further help. He was grateful to M. Politis for suggesting a solution to a very difficult problem. In that resolution M. Politis had not only pointed out that the Assembly should take note of the statements which he (Lord Cecil) and others had made in the course of the debate, but had said quite specifically that, in his judgment, they should be allowed to repeat their views in the Preparatory Commission. Unless the provision of every expert was at fault, war would become more and more a war of machinery and less a war of men, and, if a convention were produced as regards limitation of armaments from which the limitation of machines and material was excluded, he was very much afraid that it would be of little value. Unless material was

limited in some way or another the disarmament treaty would be very little better than a sham. He thought that very largely the object which the British Government had in presenting the resolution to the Committee had been attained, as the subject had been ventilated. Fair warning had been given to everybody of the British Government's attitude in these matters. In the circumstances he did not think it would be right to press his motion to a division. M. Politis thought that the resolution would be defeated, but as to this, he was not sure. He thought that he might win, but what would be the use of winning by a narrow majority? He did not think that relations would be embittered as a result of a vote favourable to him, but relations would certainly not be improved. Under the circumstances he withdrew his resolution and accepted M. Politis' resolution.

When the resolution was being discussed later before the Assembly, Lord Cecil, who was the only speaker besides the Rapporteur, took occasion again to make his attitude clear. The British Government's critics had attributed strange motives to his action in submitting that resolution. Some had maintained that its purpose had been to delay disarmament, others, to injure certain military Powers. Both charges, equally inconsistent, were equally far from the truth. They were hysterical nonsense. Lord Cecil's object in moving his resolution had been plain and open. He had desired to draw the attention of the Preparatory Commission to certain principles on which disarmament ought to proceed. Lord Cecil referring more particularly to the question of material stated that the next war would be almost, if not quite, as fatal to victors as to vanquished. But no permanent form of peace would be possible unless armaments were reduced and limited. That was the attitude of the British Government towards the Assembly and towards the peoples of the world.

Later the Council instructed the Secretary-General to communicate the resolution to the Members of the Preparatory Commission together with the minutes of the plenary meetings of the Assembly and those of the Third Committee at which the question of disarmament was discussed.

The present outlook for future disarmament appears to be as follows. After the Naval Conference which will take place in London during January, very probably the Preparatory Disarmament Commission will be convened to meet sometime before the Eleventh Assembly. If an agreement is reached in the Preparatory Commission, it will be possible for the Assembly to set the date of the Disarmament Conference for some time in 1931. In addition, the Committee on Arbitration and Security will meet, at a date not yet fixed, in order to dispose of the following questions which were referred to it by the Assembly: financial assistance to States victims of aggression, Model Treaty to strengthen the means of preventing war, communications affecting the working of the League in times of emergency, and the facilities to be granted in times of emergency to aircraft engaged in transport of importance to the working of the League.

## *2. Draft Convention for Financial Assistance to States Victims of Aggression.*

At the request of the Ninth Assembly, the Financial Committee prepared a complete and detailed draft Convention, which was examined, with great thoroughness, by the Third Committee. In fact, the Committee devoted much more time to this subject than to the debate on Disarmament and the Work of the Preparatory Commission.

There are two distinct aspects to Financial Assistance, one financial, the other political. Sir Henry Strakosch, a member of the Financial Committee, in his pamphlet, "A Financial Plan for the Prevention of War," has explained in such clear and brief terms the purpose, the structure and the application of



the Convention from the financial point of view, that this side of the question will not be amplified here, particularly as the discussion centred round the political side to the almost total exclusion of the financial. The Committee, feeling hardly competent to discuss technical considerations, accepted, practically without comment, the financial dispositions of the draft Convention prepared by the Financial Committee. The political problems raised, however, were very important, and, in some cases, of a delicate nature.

Sir Henry Strakosch informed the Committee that the draft Convention had been passed by the unanimous vote of the Financial Committee, a body composed of hard-headed men whose very calling compelled them to look at things from a realistic point of view. He did not suggest that they were impervious to idealism, but he thought that the past record of the Financial Committee was sufficient proof that they would not allow their sense of the real to be carried away by idealism. He said this in order that they might appreciate the atmosphere in which the plan was conceived, elaborated and finally approved, and in order also to counteract a possible misconception, due to some criticism of the plan that it was the result of a bout of frenzied idealism on the part of a few cranks.

In the beginning it appeared rather as if, generally speaking, the Delegates favoured the plan for financial assistance: the impression grew, however, as the discussion went on, that there was little real enthusiasm for the scheme: certainly no one cared to have it put into force at once.

Count Bernstorff was lukewarm in his appreciation, and said that in any case the German Constitution made it necessary for the German Government to pass a law by a two-thirds majority before it could adhere to the Financial Assistance Convention—which certainly would be impossible before the Disarmament Convention was in force.

Dr. Munch (Denmark), who did not like the scheme, believed that the creation of a large fund for the purchase of war material might, in certain cases, be too great a temptation for the large industrial firms which manufactured war material. They would be tempted to regard this fund as their certain prey: with the resources at their disposal they might endeavour to bring about a situation which could be characterized as a threat of war.

Lord Cecil was the only strong supporter of the draft Convention; he was the one who spoke in the warmest terms about the good it might do. He thought that a Convention like the present one would render it unnecessary, particularly for some of the smaller Powers, to lay up stores of munitions to enable them to meet a national crisis. The argument, however, which carried most weight with him was that the possession of this power in the hands of the Council might be of capital importance when a great crisis arose. He could conceive of a case where one Power was obviously aggressive and was determined to rush, by the exercise of great force, against a smaller power, thus presenting the world with a *fait accompli* before anything could be done. The fact that the Council was recommending the granting of a loan to the smaller Power might make just the difference in the action of the supposed great and piratical Power.

Sir George Foster considered that, in dealing with financial assistance, there was another method which had not been discussed in the Committee. The underlying idea, as was obvious, in the draft Convention, was that a war was possible and might eventuate; but might not something be gained by approaching the matter from what might be called the negative point of view? Instead of agreeing to give to victims of aggression financial assistance, upon the details of which the Delegates did not appear to be unanimous, it might not be difficult,

he thought, to get all the Members of the League to agree that in the case of any violation they would not allow the aggressor State to obtain, within their territories, cash, credit, war material or the other elements necessary for the carrying on of war. This was a somewhat different plan from that before the Committee, and it did not involve the difficulties which had arisen during the discussion of the draft Convention now before them.

Sir Muhammad Habibullah (India) stated that the Indian contribution towards the expenses of the League was large, and hoped for the day when it might be reduced. He made it plain that, if India assented to the draft Convention, it would be on the distinct understanding that any contribution she might be asked to make should not be based upon her contribution at the time of her entry into the League, but on the actual contribution she might be paying at the time the liability arose.

M. Sandler (Sweden), although favourable in principle to the draft Convention, believed that in the case of a general conflagration the ingenious machinery of the draft would not work.

General Tanczos (Hungary) stated that Hungary could only continue to balance the budget so long as her financial position did not become worse. For that reason the Hungarian Government could not for the time being accept any Convention that might involve her in additional commitments.

Sir Granville Ryrie (Australia) was the only Delegate to say categorically that he was opposed to all financial assistance, both in the case of war, and in the case of threat of war.

In addition to the general discussion, which is summarized above, some of the points of political interest which held the attention of Delegations were:—

- (a) Should financial assistance be given only in case of war, or in case of threat of war as well? Should the Council be empowered to make the Convention operative without consulting the other signatory States?
  - (b) Should the operation of the Convention be linked up with, and be dependent upon, the general Disarmament Convention?
  - (c) For what decisions, under the Convention, is the unanimous vote of the Council necessary, and for what decisions does a simple majority suffice?
  - (d) What authority is to settle disputes concerning the interpretation or application of the Convention?
- (a) Should financial assistance be given only in case of war, or in case of threat of war as well? Should the Council be empowered to make the Convention operative without consulting the other signatory States?

Most of the Delegations, among which were the Japanese, German, Danish, Norwegian and Hungarian, were opposed to the application of financial assistance in cases of threat of war: only the British and Netherlands Delegations favoured the extension of the plan to a threat of war.

M. Munch (Denmark) thought it would be difficult for the Council to surmount the difficulties raised by the operation of the Convention in the case of such a threat. He need not stress the difficulty, so often discussed, of deciding which of the States in conflict threatened the other. There were other difficulties. If the Council in such a situation declared that one of the parties to the dispute was threatened by the other, and must be helped financially, it would obviously lose the possibility of mediating between the States in question. If, on the other hand, the Council first tried to reconcile the two States and only applied financial assistance after mediation had failed, this financial help would by then have lost a great deal of its value.

Lord Cecil was the only Delegate to be really insistent upon including "threat of war" in the application of the Convention. He was aware of the difficulties inherent in the phrase "threat of war." The expression was, however, not the invention of those who had framed the Convention: it was found in Article 11 of the Covenant, and was the basis of the proceedings recommended by the Preparatory Commission, the Council and the Assembly, which might be taken when a threat of war occurred. He quite agreed that the threat of war must be imminent and serious, and, if it would help in any way, he would be prepared to add such words to the Convention as would make it clear that the threat must not be remote or contingent. He replied to M. Munch by saying that the suggestion of the Danish Delegate seemed to him to be a triumph of ingenuity: he thought the danger of the organization of a threat of war by armament firms was very remote. Certainly, if there were the slightest suspicion of that, the Council would not lend itself to such proceedings.

M. Lange (Norway) was very definitely against the application of the Convention in case of threat of war. It was difficult to imagine how the plan could be put into operation in the case of a threat of war when no attack had yet taken place. In such a case they would have to decide who was the victim before there was a victim.

Generally speaking, most of the Delegates agreed that the decision as to the coming into operation of financial assistance should be left to the Council if the Convention were to be effective: otherwise it was thought that such delay would ensue, if the signatories to the Convention had to be consulted before putting the Convention into operation, that the Convention would become inoperative and ineffective.

M. Loudon (Netherlands) said that to require the previous consent of all the signatory States would nullify the effect of the scheme, and the Netherlands Government, recognizing this, had agreed to the decision being left to the Council alone. In making this exceptional concession it maintained, nevertheless, as a general principle, that in any other cases States were free to decide for themselves who was the aggressor.

Sir George Foster stated that Canada was deeply sympathetic with any project which had for its aim the prevention of war, but the draft Convention raised a difficult question for Canada as regards its possible participation in war without the sanction of the constituted authorities of the Nation, her Government and her Parliament. He had some doubt, personally, whether or not the authority of the Council's decision was the best that could be obtained. Two of the fourteen Members would certainly be eliminated, and possibly more. Consequently, there might be a comparatively small body of men left to take a decision which would result in an application of the Convention and this in a state of war, either prospective or actual.

Were the advantages to be derived from the putting into force of the Convention so great as to over-balance the objection to which he had alluded? Sir George suggested that there should be two classes of signatories: one, the class which adopted the Convention and could be counted upon in making up the loan; the other, the class which would comprise those who adhered to the same principle as that to which his Government adhered, and who, after knowing the decision of the Council as to the aggrieved party to which the loan was to go, came in as contributors to the loan, after agreeing with the Council's decision. This view, however, obtained no support, and M. Massigli (France) said that he viewed it with considerable alarm, because it might offer a serious temptation to Parliaments to delay their accession until the time came for the Convention to be brought into operation.



(b) Should the application of the Convention be linked up with and be dependent upon the general Disarmament Convention?

Practically all Delegations were unanimous in agreeing that it would not be practicable to endeavour to put into force the plan for financial assistance until a general Disarmament Convention had been concluded. As a matter of fact, as pointed out above, general and unqualified support was not given to the financial assistance proposal, and it appeared that in some cases Delegations insisted upon linking it up with the general Disarmament Convention, in order to shelve it at least for the time being.

M. Munch (Denmark) believed that an essential condition for the putting into force of the draft Convention was that the reduction of armaments, contemplated in Article 8 of the Covenant, should be carried out in a satisfactory manner. If the Committee wished to adopt the Convention immediately as it stood, the Danish Delegation would raise no objection, but would be unable to sign it until it formed part of a series of agreements giving effect to the stipulations of Article 8 of the Covenant and thus increasing the guarantees of a lasting peace.

Lord Cecil did not think that the British Government would be prepared to take part in the Convention unless its coming into force were made dependent on the adoption of a scheme of reduction and limitation of armaments.

(c) For what decisions under the Convention is the unanimous vote of the Council necessary, and for what decisions does a majority vote suffice?

In general, the Delegations favoured the unanimity rule in all decisions falling under Article 1 of the Convention, that is, the actual giving of financial assistance to States victims of aggression.

Lord Cecil thought that this rule of unanimity was one of the best safeguards against the misuse of the Convention.

The draft Convention proposed to exclude from the vote of the Council the representatives of States "involved in the war or threat of war". This latter disposition raised strong protest. M. Lange (Norway) wondered what States would not be involved in a threat of war, and insisted that the suspension of the right to vote would have to be limited, in conformity with the rule laid down in the Covenant, to Members who were actual parties to the dispute: this view was accepted by everybody.

(d) What authority is to settle disputes concerning the interpretation or application of the Convention?

Various proposals were submitted, in an attempt to solve this question. The draft Convention suggested that "any dispute as to the interpretation, or as to the method of application of the present Convention shall be settled by a decision of the Council of the League of Nations." M. Lange, discussing this text, said it was contrary to all principles to make a party judge in any dispute in which it was itself involved. The Norwegian, Netherlands and Portuguese Delegates proposed that disputes should be referred to the Court of International Justice for settlement by summary procedure—with the exception, of course, of decisions taken under Article 1 involving the putting into operation of financial assistance. The Portuguese Delegate suggested, in addition to the Court of International Justice, the reference of disputes to the decision of the Assembly, but he received no support, as it was realized that the Assembly did not meet often enough and in any case was too unwieldy a body for this purpose. The Chairman of the Financial Committee, in reply, stated that the Financial Committee had not considered an appeal to the Permanent Court of International Justice because it

believed that, for the proper working of the Convention, extremely rapid decisions were essential. No definite decision was taken respecting the difficulty raised in point (d).

It was evident, as the discussion continued far beyond the usual bounds—that it was out of the question to expect that a final text for the Convention could be adopted by the Tenth Assembly. In view of the many constitutional and political difficulties, there was no urgent desire on the part of Delegates to vote for financial assistance at the present time.

The Third Committee proposed that the Council instruct the Committee on Arbitration and Security to draw up a new text in cooperation with the Financial Committee. The text would, after it had been communicated to the Governments, be submitted for the approval either of a special conference or at the latest for that of the next Assembly. The Council subsequently requested the Committee on Arbitration and Security to prepare, in collaboration with the Financial Committee, a new draft Convention, taking into account the observations made and the amendments submitted by the various Delegations.

### *3. Establishment of a Wireless Station*

The 1928 Assembly gave consideration to the two following alternatives: (a) the independent construction and operation by the League of a wireless station of world-wide range, and (b) the establishment of a similar station jointly financed by the Swiss Federal Government and by the League of Nations; in normal times this latter station would be operated by the Swiss Government, but during an emergency it would be handed over to the League subject to reservations of a diplomatic character formulated by the Swiss Government. No decision was reached at that time, as it was felt that the data available were insufficient. The question was left over in order that further technical, financial and legal studies might be undertaken in an attempt to elucidate the problem. Since the last Assembly the Swiss Government forwarded to the Secretary-General a memorandum in which it suggested a third solution (c) to the problem, i.e., the erection of a wireless station which would be operated at all times by a company called the "Société Radio Suisse," the major shareholder of which would be the Swiss Government; the essential differences between this and the two former proposals were that, under the new plan, the cost to the League would be much lower, but, on the other hand, the League would not have control of the station either in normal times or in periods of emergency.

M. Motta (Switzerland) said that the Swiss Government had built, just recently, a wireless station at Prangins, near Geneva; this had been done because the Confederation felt that it ought not to leave the League, any longer, without a wireless station. It was true that this station only possessed a medium-wave transmitter, and that distant countries could not be reached. The Swiss Government, however, was prepared to discuss with the League the establishment of a short-wave transmitter.

M. Haas, Secretary-General of the Advisory and Technical Committee for Communications and Transit, explained that the Council had requested the Committee to study one or more schemes for providing the League in times of emergency with absolutely independent means of communication. The most natural solution had been the first proposal—that of a wireless station, of world-wide range, belonging to and managed entirely by the League. But, in view of financial considerations, the question had been raised whether independence in times of emergency could not be secured by some other means. This led to the second proposal—to collaborate with the "Société Radio Suisse" to establish a wireless station, operated in normal times by the "Société Radio Suisse," but

in times of emergency coming under the control of the League. The Committee considered also the third proposal made by the Swiss Government, but felt that the terms of reference of the Assembly and of the Council were such that the Committee was not at liberty to examine in detail a scheme which did not provide, at least in times of emergency, for the complete independence of the wireless station.

Lord Cecil thought that the League ought to have a wireless station, and he personally had no doubt that the station should be under the complete control of the League in times of crisis. If the majority agreed with him, this would rule out the third solution suggested by M. Motta. Lord Cecil submitted a resolution in which the Assembly instructed "the Secretary-General to take the necessary steps for the provision, as early as possible of a radio-telegraphic station, comprising in any case a post with a world-wide radius so far as this may be technically possible."

M. Cassin (France) agreed that the first thing to be ensured was the independence of the League of Nations regarded as an international community: it was entitled to establish independent communications with the most remote countries. This principle which was laid down in 1926 could not be abandoned.

M. Sato (Japan) expressed satisfaction that most of the speakers desired to establish a long range station: he belonged to a country whose communications with the League were much inferior to those of the countries of Europe. The first solution did not appear acceptable as it was too expensive: the second, on the other hand, seemed reasonable, and the Japanese Government might perhaps accept it, but he was rather in favour of re-examining and re-discussing the third solution.

M. Villegas (Chile), supporting the British proposal, suggested that the different Governments might undertake immediately to give the proposed wireless station the preference for their communications to and from Geneva.

M. Cobian (Spain) raised the delicate question of who would decide, under plan (b), when there existed a state of emergency. In order to pass from the normal period to the period of crisis during which the wireless station would come under the League's control, somebody would have to make a grave pronouncement. Who? At what moment would it be made? Going further, he asked if it was not immediately before the crisis that it would be most necessary for the station to be at the League's disposal? He rather favoured the first plan, unless a solution were found to the problem he had just raised touching the period of emergency.

M. Motta, realizing that solution (c) was unpopular, reminded the Committee that the Swiss Government had, in the first place, proposed solution (b), which seemed to have received the support of nearly all Delegations and was, in effect, embodied in Lord Cecil's proposal. The benefit to the League under scheme (c), proposed by the Swiss Government, was that, once the station had been constructed, the only annual expenditure in which the League would have been involved would amount to about 23,000 francs, a trifling figure compared with the 450,000 francs of plan (a) and the 200,000 francs of plan (b). Be that as it may, M. Motta noted that solution (b) met with almost unanimous approval.

Following the general discussion, a joint sub-committee of members of the Third Committee and the Fourth Committee (Budget and Financial Questions) was appointed, and met on the 17th September. The mixed sub-committee unanimously decided to recommend the adoption of the second solution. In



reaching this decision the mixed sub-committee was guided by financial considerations and by the fact that at the present time it might be of the greatest importance for the League to have at its disposal, in times of emergency, not only a short-wave, but also a medium-wave station. It was not thought necessary to propose to the Third Committee any amendment to the text of Lord Cecil's resolution.

The Assembly, on the Third Committee's recommendation, instructed the Secretary-General to take the necessary steps for the provision, as nearly as possible, of a radio-telegraphic station, comprising in any case a post with a world-wide radius so far as this may be technically possible, in conformity with the proposals submitted to the Assembly by the Communications and Transit Committee. The Swiss Government could be represented at this station by an observer, and the Assembly further declared that the use of this station by the League of Nations in times of crisis could in no case be invoked against Switzerland as affecting her international responsibility.

A definite decision, therefore, has been taken by the Assembly regarding the establishment of a wireless station. In the League budget an item of 50,000 francs was included and passed by the Assembly; this amount of course is not meant as a first contribution towards the construction of the station, but only to cover the expenses of calling for tenders, initiating technical studies and having plans prepared. The credits for the actual building of the short-wave station, in co-operation with the "Société Radio Suisse," will be included in the budget for 1931.

#### *4. Private Manufacture and Publicity of the Manufacture of Arms and Ammunition and of Implements of War*

At the Fourth Session of the Special Commission held just prior to the Assembly, a further attempt was made to prepare a draft Convention on the Supervision of the Private Manufacture and Publicity of the Manufacture of Arms and Ammunition and of Implements of War. No material progress was made towards the drafting of a single text although there was some advance in respect of the problem which so far has been a stumbling block, that is, the publicity to be given to private and State manufacture.

Prior to the Fourth Session of the Special Commission, Article 5 of the draft Convention had set forth the degree of publicity upon which the entire Commission could agree; reservations voicing the more ambitious hopes of certain Delegations were inserted formerly as remarks to the Article. At this Session, however, there was a reversal of policy, and it was decided to insert in the body of Article 5 the views of the majority of the Delegations, with the result that the new text represented the maximum upon which a majority agreed instead of a maximum upon which the entire Commission agreed.

The Rapporteur, M. Sandler, pointed out that, in the Report of the Fourth Session of the Special Commission submitted to the Council on 21st August by the Roumanian Representative, the latter drew the Council's attention to the fact that the Special Commission, after endeavouring once more to reconcile the different points of view, had not been able to eliminate certain fundamental divergencies of opinion.

M. Sandler stated that, at the Fourth Session, stress had been laid on the essential connection, first, between the organization of the supervision of private manufacture, and the publicity which should be given to State manufacture, and secondly, between the question of the manufacture of arms, ammunition and implements of war, and that of the international trade in arms. Furthermore, several Governments had affirmed that they were unable to express a final opinion on the methods of securing publicity for State manufacture until they knew the conclusions reached by the Preparatory Disarmament Commission on

the question of publicity in respect of material. In view of these remarks, the Rapporteur thought that it would be unwise for the Third Committee to add anything beyond recommending that the Council consider the convening of a further meeting of the Special Commission, after the Preparatory Disarmament Commission had concluded its work in connection with the publicity of implements of war.

During the course of the discussion, M. Fierlinger (Czechoslovakia) made an interesting suggestion. The Special Commission, he stated, had taken for its starting point the idea that the system of licences for private manufacture should be adopted as being the most perfect and efficient method of supervision yet discovered. A number of States, including the United States of America, had, however, found it difficult to accept this principle, and, if the United States did not accede to the Convention, no great Power in Europe would be willing to ratify it. That was one reason why they should endeavour to find a different basis for the Convention. He did not wish to influence the future decisions of the Special Commission, but thought it should seek to discover a new system of information and statistics more rapid and more effective than that in force at the present time for commercial information. The great advantage of finding and adopting such a system, instead of the system of licences, would be that all States could agree to it; in any case, the system of licences accepted by the Special Commission did not offer any particular advantages, and most European countries had adopted, for their own purposes, national regulations for the close supervision of the private manufacture of arms.

The Roumanian Delegate submitted a resolution (later adopted), the effect of which is to suspend further work on the Private Manufacture draft Convention until after the Preparatory Disarmament Convention has disposed of the question of the Publicity of War Material. Sir George Foster, discussing the resolution, called attention to the last paragraph in which the Council was requested, as soon as the Preparatory Commission had concluded its work, to convene a further meeting of the Special Commission to complete the text of a preliminary draft Convention. Sir George thought that this was a peremptory instruction to the Council, and he suggested that it might be left to the Council to decide whether or not it was advisable or necessary to call a further meeting of the Commission. He thought the Council should be left to exercise its choice. He would suggest the words: "to consider the advisability of convening a further meeting of the Special Commission." This amendment was adopted by the Committee.

##### *5. Model Treaty to Strengthen the Means of Preventing War*

This Model Treaty was accepted by the Ninth Assembly which recommended it for the consideration of States Members and non-Members of the League, and hoped that it might serve as a basis for States desiring to conclude a treaty of this kind. It was not thought that the question would be discussed before the Third Committee this year as it had been definitely disposed of by the Ninth Assembly. It will be remembered that the idea of the Model Treaty originated in 1927, when the German Government asked that certain suggestions, which it made then to strengthen the means of preventing war, should be embodied in a General Protocol, open to the signature of all States. However, during the Third Session of the Committee on Arbitration and Security there was such opposition to the idea of a Protocol that it was decided to give to the Treaty the form of a model multilateral treaty which might be used also as a bilateral treaty. It is of interest to note that since the Ninth Assembly no State has entered into a treaty on the German model.

The Model Treaty would not have been resuscitated had it not been for a resolution submitted by Lord Cecil, in which he asked that the Model Treaty be reshaped into a draft general Convention which could be referred to Governments in time to enable the latter to indicate, at the Eleventh Session of the Assembly, whether they were prepared to accept it.

Lord Cecil in presenting his resolution explained that the broad object of the Treaty was to strengthen the hands of the Council in their duty to prevent war breaking out: the method suggested in the Treaty was that as many States as possible—Members of the League or not—should agree to accept beforehand the directions of the Council for the carrying out of Article II. In order to bring this about, he was proposing that the Treaty be changed from a Model Treaty into a general Convention open for general signature, and to this end he suggested that it be referred to the Committee on Arbitration and Security, which could review it to ensure that it was in all respects fit for such a purpose.

Count Bernstorff, very naturally, welcomed Lord Cecil's resolution because the latter embodied a suggestion which originally was contained in a German proposal submitted by Herr Von Simson. The French, Japanese and Italian Delegations, which during the Third Session of the Committee on Arbitration and Security had been opposed to the idea of a general Convention, were not in favour of Lord Cecil's proposal, but did not go the length of actually refusing to accept the suggestion of referring the matter to the Committee on Arbitration and Security. M. Sato (Japan) reminded the Committee, however, that the Japanese Delegation had assisted in the preparation of the Model Treaty on the understanding that it was not to be of a general character.

The Assembly accepted Lord Cecil's suggestion and the Council, giving effect to the Assembly's recommendation, instructed the President of the Committee on Arbitration and Security to summon, in due course, the latter Committee in order to consider the possibility of establishing a draft General Convention on the general lines of the Treaty.

6. *Communications affecting the working of the League in Times of emergency: facilities to be given aircraft*

The International Commission for Air Navigation (Paris), which is not a body coming directly under the League of Nations, has been considering for some time past, and notably at its last Session, the question of the special legal status of aircraft employed to maintain aerial communications of importance to the operation of the League. The work of the Air Navigation Commission, in this respect, is not yet complete, and this Commission is to meet again at the end of the year to continue its task of studying and reporting upon the proposals made in 1926 by the French Delegation to ensure the independence and security of the League's communications in time of emergency, and more particularly respecting the facilities to be given aircraft engaged in transport of importance to the League's working.

The Rapporteur stated that, as it was necessary, in the interest of the freedom and security of aircraft flying over States with a view to ensuring communications of importance to the League in times of emergency, that as little as possible should be left to chance and unilateral decisions, and that each State should be aware of its obligations, it would be desirable for the Secretary-General and the various Governments to agree beforehand on the rules to be observed and the normal routes to be followed by such aircraft. These definite regulations would facilitate the mission to be carried out by aircraft in the joint service of the League and of the different countries. A certain elasticity,



however, might be provided for, by making provision for departures from established rules and routes for aircraft, or by the Secretariat and some particular Government entering into special agreements, in this respect.

Count Bernstorff, making use of the lead that certain aspects of this problem gave Germany, stated that the indispensable control of the air, particularly in times of crisis, was impossible in certain countries which, through treaties, were subject to restrictions regarding aviation, and which therefore had no police aircraft at their disposal.

The Assembly, following the Third Committee's proposal, requested the Council, as soon as the work of the Air Navigation Commission was finished, to have a study made by the Committee on Arbitration and Security of the measures required to ensure that aircraft engaged in transport of importance to the working of the League of Nations may be free in times of emergency to fly in such a way and over such territory as may be necessary for the carrying out of their mission. Subsequently the Council gave effect to the Assembly's recommendation.

## FOURTH COMMITTEE

### (BUDGET AND FINANCIAL QUESTIONS)

#### *League Buildings*

Approval was given to the report of the special committee appointed by the Assembly to study the question of the new buildings and during the Assembly the laying of the corner stone took place. Three points still remained unsettled: certain modifications of detail to the library, the question of acoustics, and the approval of the detailed estimates to be drawn up by the architects at the same time as the plans. The Committee is to decide these three points and submit its decisions to the Council of the League of Nations for endorsement.

#### *Allocation of Expenses*

In view of the fact that there must be submitted to the Assembly of 1932 a revised scale of allocation which will be based on the budget estimates for the year 1930-31 of the various States Members, it was proposed that States should be requested to submit their estimates with as little delay as possible. This was agreed to.

#### *Budget*

In marked contrast to the discussion which took place at the preceding Assembly, little criticism was offered this year on the main budget, the discussion centering particularly on the supplementary credits. The Secretary-General pointed out that the increase of 155,000 francs was due to the two Conferences on Codification and Disarmament which would be held in 1930 and that, had it not been for these Conferences, the budget would have actually shown a decrease.

#### *Secretariat and Special Organizations*

In discussing credits for League publications, several delegates called attention to the serious delay in the printing and distribution of important League documents, especially minutes of Conferences, a delay which had a prejudicial effect on the ratification of Conventions. The Norwegian Delegate was of the opinion that the minutes of various Committees were the poorest part of the League's work and that in certain cases reports had been "doctored" by reproducing all the complimentary expressions and leaving out the criticisms. It was also pointed out that the revised account of a discussion was frequently confused by independent corrections inserted by the different delegates who

had taken part in it. The Secretary-General pointed out that minutes and documents could be distributed with less delay if a credit of an additional 35,000 francs for printing could be agreed on.

An additional supplementary credit of 35,800 francs was agreed on to take care of the future organization of the High Commissariat for Refugees, it having been decided that the central service of the High Commissariat is to be placed under the administrative authority of the Secretary-General. The change is in the nature of an experiment and is for one year. The other two additional credits are due to the Conference on Financial Assistance for States Victims of Aggression and the Committee to study the means of accelerating the ratification of conventions concluded under the auspices of the League.

#### *International Labour Organization*

The budget of the International Labour Organization was accepted after very little discussion. A statement was made by both the Secretary-General and the Director with respect to the contribution of Brazil to the Organization. Brazil, although no longer a Member of the League, still continues to contribute to the Labour Organization. In accepting the contribution of Brazil, the statement was made that it was understood that in so doing the Labour Organization was in no way prejudicing any constitutional questions arising under the treaty provisions which had established the Labour Organization.

M. Hambro (Norway) desired information with respect to the political activities of the Director, criticized him for a statement he had made at a French Socialist Party banquet and wished to know whether the League officials should be allowed to take part in political activities. In reply M. Thomas explained that his association with the French Socialist Party was due to his desire to make the work of the League better known and that this was not the first time he had taken part in such manifestations. The budget of the Labour Organization was adopted by the Committee as submitted.

#### *Permanent Court of International Justice*

The budget of the Permanent Court was approved without alteration, the increase in expenditure being due to the increase in salaries provided for by staff regulations. Modifications in the Statute of the Court, especially in regard to pensions and salaries of the judges, will probably considerably increase the 1931 budget.

The total Budget as finally approved by the Fourth Committee amounted to 28,210,248 gold francs, a net increase of 559,742 gold francs over the original budget, and an increase of 1,183,968 over the budget for 1929. Canada is assessed for 35 units out of a total of 968, which would bring the amount of her contribution to 1,001,377.97 gold francs. From this amount, however, there is deducted the sum of 14,683.66 gold francs, Canada's share of the surplus for the financial year 1928, and the sum of 31,917.80 gold francs, representing the repayment from the Building Fund authorized by the Assembly to those States which, by the prompt payment of their share of the League's expenditure up to the end of 1925, had contributed to the formation of the capital set apart for the construction of the new buildings. The net contribution of Canada to the expenses of the League for 1930 thus amounts to 954,776.51 gold francs, or nearly 185,000 dollars.

#### *Organization of the Secretariat, of the International Labour Office, and of the Registry of the Permanent Court of International Justice*

The Ninth Assembly expressed the opinion that the staff regulations, which were drawn up in the early days of the League, should be considered in the light of the experience since acquired. The matter is being considered by the

Supervisory Commission, which, in view of the complexity of the questions involved, was not prepared to report to the Tenth Session of the Assembly. Certain proposals having been made, however, by the British and Italian Delegates, the Assembly decided to appoint a Committee, including members of the Supervisory Commission, to examine what steps could be taken to ensure the best possible administrative results for the Secretariat, the International Labour Office, and the Registry of the Permanent Court of International Justice. The Report of this Committee is to be submitted to the Governments for consideration before the next Session of the Assembly.

### *Supervisory Commission*

Two proposals were brought before the Committee in connection with the composition of the Supervisory Commission: an Austrian proposal to increase the number from five to seven members was defeated on the grounds that an increase would make for inefficiency; discussion of a Swiss proposal that members should be declared non-eligible and should be replaced compulsorily after a term of six years of office was postponed until the next Assembly. Next year the question of the limitation of the re-eligibility of the members of the Supervisory Commission will probably be reconsidered on the basis of a definite proposal.

Two other questions completed the work of the Fourth Committee. The first was a proposal that the expenses of three Delegates of each State to the Assembly should be borne by the League. This proposal was intended primarily to improve the representative character of Delegations to the Assembly, especially from the smaller extra-European countries. It was hoped to encourage these countries to include in their Delegations a larger proportion of statesmen actively engaged in political life. The suggestion met with little response and no action will be taken until a definite proposal has been made by the Government of one of the Members of the League. The second question dealt with the proposed change of the meeting place for the Assembly. An additional 50,000 francs was voted to allow for the holding of the Assembly in the Bâtiment Electoral instead of in the Salle de la Réformation as heretofore.

## FIFTH COMMITTEE

### (SOCIAL AND HUMANITARIAN QUESTIONS)

The work of the Advisory Commission for the Protection and Welfare of Children and Young People (Child Welfare Committee, Traffic in Women and Children Committee) gave rise to little discussion, although many Delegates took the opportunity offered of making statements on conditions in their own country.

### *Child Welfare*

General approval of the work of the Child Welfare Committee was expressed, and particular mention was made of its work on the questions of the status of illegitimate children, the education of blind children, the effect of the cinematograph on children, and the preparation of draft international conventions relating to the repatriation of minors abandoned in a foreign country and to assistance for indigent minors of foreign nationality. The Committee noted that, at the request of the Child Welfare Committee, the Governments have been asked to submit observations on these draft conventions.

The Committee heard with interest an account given by the Director of the International Educational Cinematographic Institute (Rome) of the work of the Institute during its first year.



### *Traffic in Women and Children*

As a result of the light thrown on the question by the work of the League organizations, there has been in recent years a marked change in public opinion on the question of licensed houses; and further evidence of this was forthcoming in the discussion in the Fifth Committee this year. In particular, the Delegates of France and Belgium announced that the local authorities, within whose competence the matter lies, had abolished the system in a number of towns. It was considered that the study now being made of laws and regulations devised to protect public order and health against the dangers arising out of prostitution in countries where the licensed house system has been abolished will be of great value to the authorities in other countries where the question of abolition is being considered.

Several Delegates of Eastern countries said that their Governments would welcome the proposed extension to the East of the inquiry into the international traffic in women, carried out by a Special Body of Experts from 1924 to 1927. The Fifth Committee recommended that, if this extension of the inquiry were decided upon, the Special Body of Experts should include persons who are well acquainted with the special conditions in the East, and that women should be among these persons.

### *Traffic in Opium*

The greater part of the Fifth Committee's time was given to this question, and the discussion which took place on it was marked by a clear realization of the gravity of the problem and a general determination to put an end to the illicit traffic as soon as possible.

The Committee expressed its satisfaction with the work of the Advisory Committee in exposing the extent and methods of the illicit traffic, and associated itself more particularly with the Advisory Committee's view that strict measures should be taken to prevent the smuggling of drugs through the post.

From the information before the Committee and the statements made by several Delegates, it seems probable that ten or twelve more ratifications of the 1925 Opium Convention will be registered in the near future. There will then be over forty parties to the Convention, and its provisions for the control of the international trade will be more generally applied and will play their part in the suppression of the illicit traffic.

An interesting statement was made by M. Gallavresi, Vice-Chairman of the Permanent Central Opium Board, regarding the work of organization accomplished at the first two meetings of the Board (see Report of Canadian Delegates to the Ninth Assembly, p. 22).

The most interesting part of the discussion, however, centered around the question of the limitation of the manufacture of narcotics. At the first meeting devoted to opium questions, the representative of France announced that his Government was taking steps to impose on manufacturers a strict system of limitation. Other speakers laid emphasis on the desirability of such a system, and some gave accounts of the measures which were being or were about to be taken in their countries to prevent the manufacture in excess of legitimate requirements of quantities of drugs which would inevitably find their way into the illicit traffic. It became evident that there was a possibility of arriving at unanimous agreement on the principle of direct limitation of manufacture. The British Delegate thereupon put forward a proposal for a Conference on the question; this proposal, which was supported by the Canadian Delegate, was very fully discussed by the Committee and was accepted with amendments proposed by the Italian, Yugoslavian, Chinese and Swiss Delegates. In its final form, the resolution recognizes the principle of the limitation of manufacture by international agreement and outlines the method by which the problem should be approached. The Advisory Committee will prepare and submit to the Council plans for limitation, having regard to the medical and scientific requirements of the world and the means

to be taken to prevent limitation from resulting in an increase in the price of narcotics which would lead to the establishment of new factories in countries where narcotics are not now manufactured. The Council will then decide on the convening of a Conference for the limitation of manufacture.

## SIXTH COMMITTEE

### (POLITICAL QUESTIONS)

#### *Mandates*

During the discussion of this item, several questions of principle were raised: that of the conception of sovereignty as regards mandated territories, that of the temporary or permanent character of the mandates, and that of the maintenance of the mandated territories as separate units.

On the question of where sovereignty resides in the case of mandated territories, opinions differed widely. The Delegate of China expressed the view that sovereignty rested temporarily with the League of Nations, while the Delegates of Great Britain and New Zealand stated that, as the bestowal of the mandates was vested in the Allied and Associated Powers, the mandates could not be alienated except by the agreement of all these Powers. From the statements of the South African Delegate, it seems evident that his Government still holds the view that sovereignty is absolutely vested in the mandatory Power. A decision to this effect has been given by the South African Court of Appeal.

As regards the duration of mandates, the Delegates of certain States which are not mandatories emphasized the temporary character of the mandates, while Delegates of mandatory Powers drew attention to the danger of creating unrest in the mandated territories by general statements of this nature. The Italian Delegate considered that a mandate would cease when the mandated peoples had reached a stage of civilization at which they were fit to govern themselves. This eventuality, which might be near at hand for certain "A" mandates, lay in the dim and distant future for populations subject to "B" and "C" mandates. The word "mandate" of itself and within the meaning of civil law implied this transitory character. Moreover, Article 22 of the Covenant spoke of "tutelage," and under the civil code tutelage came to an end when the ward attained his majority. The French Delegate replied that the idea of colonial mandates could not be considered to emanate directly from ordinary civil law; it was rather an embodiment of Anglo-Saxon thought which had assumed concrete form in the three types of mandates. It was true that tutelage ceased when the object of it attained his majority, and this was stipulated in the articles dealing with "A" mandates, but nothing was said in respect to "B" and "C" mandates.

It was in connection with the administrative, customs and fiscal union between Tanganyika, Kenya and Uganda proposed in the Hilton Young Report that the Italian Delegate raised the question of the duration of the mandates. He said that, while Article 10 of the mandates appeared to authorize such a scheme, it also contained a very important and explicit reservation to the effect that no measure should be taken contrary to the rules of the mandate. The precedent of the incorporation of the Cameroons in the colony of Nigeria had been cited. It was, however, quite a different matter when a relatively small territory like that of the Cameroons was incorporated, and when it was proposed to incorporate an enormous territory like Tanganyika. The British Delegate explained that the Hilton Young Report had not yet been given detailed consideration by the Government; any decision taken would be reported to the Mandates Commission which would thus have an opportunity of making observations on it.

Almost all the speakers made some reference to the recent events in Palestine. The British Delegate gave assurances that no acts of terrorism or disorder would be allowed to modify their policy for the full application of the terms of the mandate for which they had international responsibility to the League as a whole.

### *Slavery*

Under the Slavery Convention of 1926, the States Parties are obliged to communicate to the League information regarding their legislation on slavery. In this connection, Lord Cecil pointed out that very few States had supplied such information, while in certain countries bordering on British territory slavery was still in existence. He thought that the position was becoming a very serious one, and he therefore proposed the re-appointment of the Commission on Slavery to report generally on the execution of the Slavery Convention of 1926.

The British proposal was supported by a number of Delegations, including those of India, Norway and Spain, but was strongly opposed by others. In view of this conflict of opinion, the Sixth Committee appointed a sub-committee, which examined the question in detail and unanimously concluded that, in view of the changes in the general situation and the fact that a very short time had elapsed since the signature of the Convention, it would be preferable (1) to endeavour to obtain further ratifications, (2) to investigate thoroughly the results of the application of the Convention and the present state of the problem. The Sixth Committee adopted the sub-committee's suggestion.

### *\*Refugees*

The Sixth Committee considered the Report of the Advisory Commission appointed by the Council in accordance with a decision of the Ninth Assembly (see Report of Canadian Delegates, p. 22), together with the Report of the High Commissioner for Refugees (Dr. Nansen) on the various measures taken for the assistance of Russian, Armenian, Assyrian, Assyro-Chaldean and Turkish refugees. It agreed with the Advisory Commission that the work of the High Commissariat should be continued along the same lines and should be wound up within a maximum period of ten years. The League will continue to bear the administrative expenses of the High Commissariat.

The Ninth Assembly decided that the work of settlement of Armenian refugees in the Republic of Erivan should be carried out under the auspices of the League (see Report of Canadian Delegates, p. 24). Although certain Governments and private organizations offered contributions, it has proved impossible to obtain sufficient funds for the settlement scheme in which the Armenian Government had agreed to co-operate. This being the case, the Sixth Committee accepted Dr. Nansen's proposal that the League should discontinue its connection with this work. The contributions offered will therefore revert to the subscribers, with the exception of a gift of £100,000 from the Armenian organizations, which will be used for settlement on a small scale. The High Commissioner will keep in touch with the movement and will inform the Council if it appears to be opportune for the High Commissariat to resume its co-operation in this work.

RAOUL DANDURAND,  
J. C. ELLIOTT,  
W. D. EULER,  
GEORGE E. FOSTER,  
PHILIPPE ROY,  
AGNES C. MACPHAIL,  
MALCOLM McLEAN,  
W. A. RIDDELL,

---

\* This question would normally have been referred to the Fifth Committee, but the Assembly referred it to the Sixth Committee, which had a small agenda.







EA  
R21

REPORT  
OF THE  
CANADIAN DELEGATES  
TO THE  
ELEVENTH ASSEMBLY OF  
THE LEAGUE OF NATIONS

---

GENEVA, SEPTEMBER 10-OCTOBER 4, 1930



OTTAWA  
F. A. ACLAND  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1931

*Price, 25 cents.*





REPORT

OF THE

CANADIAN DELEGATES

TO THE

ELEVENTH ASSEMBLY OF  
THE LEAGUE OF NATIONS

---

GENEVA, SEPTEMBER 10-OCTOBER 4, 1930



OTTAWA  
F. A. ACLAND  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1931

# TABLE OF CONTENTS

SUBJECTS	PAGES
ORGANIZATION OF THE ASSEMBLY.....	3
General Debate .....	4
Elections to the Council.....	5
Elections to Permanent Court.....	5
MEETINGS OF THE COUNCIL.....	6
THE FIRST COMMITTEE.....	8
Amendment of Statute of Permanent Court.....	8
Ratification of Conventions.....	9
Amendment of the Covenant.....	10
Codification of International Law.....	12
SECOND COMMITTEE .....	13
Economic Work of the League.....	13
Financial Committee .....	15
Fiscal Committee .....	16
Communications and Transit .....	17
Health Organization .....	17
Intellectual Co-operation .....	17
THIRD COMMITTEE .....	18
Disarmament .....	18
Arms Traffic Convention.....	21
Financial Assistance Convention.....	21
Draft Convention for Preventing War.....	23
Communications Affecting the Work of the League in time of Emergency.....	25
FOURTH COMMITTEE .....	26
Organization of the Secretariat.....	26
Supervisory Commission .....	28
Budget .....	28
FIFTH COMMITTEE .....	29
Penal Administration .....	29
Child Welfare .....	29
Traffic in Women and Children.....	30
Traffic in Opium .....	30
SIXTH COMMITTEE .....	31
Protection of Minorities.....	31
Mandates .....	32
Slavery .....	33
Refugees .....	33



# Report of the Canadian Delegates to the Eleventh Assembly of the League of Nations

---

TO HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL:

The Eleventh Ordinary Session of the Assembly of the League of Nations was held in Geneva from September 10 to October 4, 1930.

## ORGANIZATION

Fifty-two of the fifty-four States Members of the League were represented. The Argentine Republic and Honduras did not send delegations.

There were present six Prime Ministers, six former Prime Ministers or Heads of States, eighteen Ministers of Foreign Affairs, ten former Ministers of Foreign Affairs, and twenty-three delegates with a rank corresponding to that of Cabinet Minister.

The Canadian delegation consisted of the Right Honourable Sir Robert Laird Borden, former Prime Minister, the Honourable Thomas Chapais, Senator, Member of the Legislative Council of Quebec, and the Honourable Irene Parlby, Minister without Portfolio, of Alberta, with the following as alternate delegates: the Honourable Philippe Roy, Minister for Canada in France, Dr. W. A. Riddell, Dominion of Canada Advisory Officer accredited to the League of Nations, and Lieutenant-Colonel George P. Vanier, Canadian Representative on the Permanent Advisory Commission for Military, Naval and Air Questions.

The election of the President of the Assembly, the six Vice-Presidents, and the Chairman of the six Committees, who together constitute the General Committee of the Assembly, resulted as follows:—

### *President*

M. TITULESCO (Roumania)

### *Vice-Presidents*

Mr. Henderson (British Empire).	Dr. Curtius (Germany).
M. Matsudaira (Japan).	M. Quinones de Leon (Spain).
M. Briand (France).	M. Costa du Rels (Bolivia).

### *Chairman of the Committees*

First Committee (Legal and Constitutional Questions):  
M. Scialoja (Italy).

Second Committee (Technical Organizations):  
M. Colijn (Netherlands).

Third Committee (Reduction of Armaments):  
M. Politis (Greece).

Fourth Committee (Budget and Financial Questions):  
Count Carton de Wiart (Belgium).

Fifth Committee (Social and Humanitarian Questions):  
Count Apponyi (Hungary).

Sixth Committee (Political Questions):  
Sir Robert Borden (Canada).

The Canadian Delegation was represented on the six committees as follows:

First Committee:

Hon. T. Chapais.  
Hon. Irene Parlby.

Second Committee:

Dr. W. A. Riddell.  
Hon. Philippe Roy.

Third Committee:

Sir Robert Borden.  
Lt.-Col. G. P. Vanier.

Fourth Committee:

Hon. Philippe Roy.  
Dr. W. A. Riddell.

Fifth Committee:

Hon. Irene Parlby.  
Hon. T. Chapais.

Sixth Committee:

Sir Robert Borden.  
Lt.-Col. G. P. Vanier.

## PLENARY MEETINGS OF THE ASSEMBLY

The Eleventh Assembly opened under less auspicious circumstances than usual. Its deliberations as was inevitable, were coloured by a world situation of political unrest and economic depression. This, however, as will be seen, did not prevent the Assembly from accomplishing work of value in the fields of peace and international co-operation.

### *(a) General Debate*

#### *Pan-European Union.*

The idea of a Pan-European Union, which had been sponsored by M. Briand, the French Foreign Minister, during the Tenth Assembly, was officially recognized in a resolution in which the Assembly, while expressing the conviction that close co-operation between the Governments of Europe is of capital importance for the preservation of peace, insisted that co-operation should be within the framework of the League. The resolution went on to invite the European Governments, acting as a Commission of the League, to pursue the inquiry already begun, in conjunction with other Governments as far as this might seem useful, and to present proposals to the next Assembly.

A special "Commission of Enquiry for European Union" was set up in accordance with this resolution, and met on September 23. It elected M. Briand as Chairman, appointed Sir Eric Drummond, Secretary, decided that each State should be represented by one member, and outlined the preparatory work to be done for its next meeting on January 16.

It was considered that effective European collaboration might at this stage take the form of collaboration between banks, reduction of tariffs, better organization of production, and the establishment of freer communications.

#### *Disarmament*

The general tone of the debate was influenced by the following factors: the London Naval Agreement, which would enable the Preparatory Disarmament Commission at its next session to fill in the naval dispositions of the draft Convention; the work done by the Committee on Arbitration and Security at its Fourth Session (April 28-May 9, 1930), when the Financial Assistance draft Convention was completed; and the certainty that the General Disarmament Conference would be convened in the near future.

The draft Convention on Financial Assistance was signed on October 2 by the representatives of twenty-six States; the signatory Powers now number twenty-eight, which include Great Britain, Australia and the Irish Free State.

#### *Economic Problems*

The economic work of the League, as was to be expected during a period of depression, received more attention than usual in the general debate.

Stress was laid by many delegates, during the general discussion, on the urgent need of steps to put an end to the present state of "economic anarchy" before it led to a complete economic collapse. It was urged that the policy of commercial isolation, economic nationalism and destructive competition must give way to a policy of international collaboration, particularly among the European States. The British Delegate announced that as a step in this direction the British Government had decided to ratify the Commercial Convention dealing with concerted economic action, signed at Geneva, on March 14, 1930.

Much was said about customs barriers, protective tendencies and irrational distribution of raw materials, gold, capital and labour. Reference was made to over-production, the fall in prices, the disquieting growth of unemployment, and the consequent undermining of the social structure. Attention was drawn to the interdependence of agriculture and industry, and to the fact that both required to be lifted out of their present grave depression. In this connection, the resolutions of the recent Agricultural Conference in Warsaw were mentioned. The most important of these proposed that European-grown cereals should be given preferential treatment in European markets. Russian dumping was frequently referred to and came in for considerable criticism.

#### *Reorganization of the Secretariat*

Approval was expressed of the proposals for the reorganization of the Secretariat, which was considered essential for the maintenance of a high standard of efficiency and of its impartial international character.

#### *Arrangements for Assembly Sessions*

The Assembly decided that future Sessions should open on the second Monday in September unless this falls later than September 10, in which case the Session will open on the first Monday.

#### *(b) Elections to the Council*

On September 9, the Assembly elected Guatemala, the Irish Free State and Norway to be non-permanent Members of the Council, in succession to the retiring Members (Canada, Cuba, and Finland). Guatemala received 41 votes, Norway 38, and the Irish Free State 36.

The request of China to be declared re-eligible for a seat on the Council was refused, as it did not receive the necessary two-thirds majority.

#### *(c) Elections to the Permanent Court of International Justice*

On September 25 elections were held for the second term of office of the Judges of the Permanent Court of International Justice.

*Judges re-elected.*—Rafael Altamira (Spain); Dionisio Anzilotti (Italy); Antonio de Bustamante (Cuba); Henri Fromageot (France); Sir Cecil Hurst (England); Frank B. Kellogg (United States).

*Former Deputy Judges Elected to Full Judgeships.*—Demetre Negulesco (Roumania); Wang Chung-Hui (China).

*New Judges.*—Mineiteiro Adatei (Japan); Willem van Eysinga (Netherlands); Gustavo Guerrero (Salvador); Baron Edouard Rolin-Jacquemyns (Belgium); F. J. Urrutia (Colombia); Count Michael Rostworowski (Poland); Walter Schücking (Germany).

*New Deputy Judges.*—Rafael Erich (Finland); José Cacirola da Matta (Portugal); Miléto Novakovitch (Yugoslavia); Josef Redlich (Austria).



## MEETINGS OF THE COUNCIL

The Sixtieth and Sixty-first Sessions of the Council were held from September 8 to September 12 and from September 17 to October 3 respectively, under the presidency of the Venezuelan Representative. Canada's term of membership on the Council expired on September 16.

In addition to the usual routine in connection with the work of the Assembly, the Council was occupied with the adjustment of a number of political differences, with the election of members to the Economic Committee and Economic Consultative Committee and of judges to the Permanent Court of International Justice, with the problems of health, opium and refugees, of penal reform, traffic in women and intellectual co-operation.

The Report of the Permanent Mandates Commission on Palestine it was thought for a time would create a rather delicate situation for the Council. It was found possible, however, to agree upon a report which gave a measure of satisfaction to the members of the Mandates Commission and proved acceptable to the British Representative on the Council.

The question of freedom of transport and transit in the Saar territory was also settled by a decision of the Council to suppress both the Saar Railway Committee and the Defence Force within a maximum period of three months.

The Lithuanian and Polish Governments were invited to enter into direct negotiations with the object of restoring order and tranquillity on the boundary where incidents had occurred and to communicate any observations they might desire to make on the conclusions of the Transit Committee with regard to obstacles to freedom of communications within their territories.

An amicable settlement was arranged between the German and Lithuanian representatives providing for a modification of the Memel Directorate.

After hearing the parties and consulting a committee of juries, the Council appointed M. Unden (Sweden) to arbitrate a dispute between the Bulgarian and Greek Governments relating to measures taken by the former in regard to forests situated in Bulgaria, the property of Turkish nationals who became Greek nationals as a result of the Treaties which ended the Balkan Wars. It was understood that Bulgaria should have the right to contest the Greek Government's claim before the arbitrator, either in respect of receivability or of the substance of the question.

No objection was raised to the amendments to the Constitution of the Free City of Danzig, adopted by the Popular Assembly (Volkstag) of the Free City at its sittings on May 26 and June 27, 1930. By the proposed amendments the number of deputies to the Volkstag at present one hundred and twenty, is reduced to seventy-two. The Volkstag, which is elected for four years and formerly could not be dissolved during this period, may, in future, be dissolved during this period by its own decision or by a referendum. As regards the Senate, which at present consists of two categories of Senators (one category being elected for four years, the other for an indefinite period), the amendment provides that all Senators shall in future be elected by the Volkstag for an indefinite period and be responsible to it. The number of Senators will be reduced from twenty-two to twelve.

The opinion of the Permanent Court that the special legal status of the Free City of Danzig does not enable the Free City to become a Member of the International Labour Organization was noted on September 9. The opinion of the Court on the interpretation of certain clauses of the Greco-Bulgarian Emigration Convention of November 27, 1919, which relate to communities, was also noted.

Out of four appeals from the German minority in Upper Silesia two were declared closed in view of conciliatory decisions recently taken by the Polish Governments, and the two others were adjourned to a future session.

Six applications for the appointment of arbitrators to decide on the disputes between the Roumanian, Hungarian and Yugoslav Governments and certain Railways were considered. The Council decided to make the appointments at its January 1931 Session, if the disputes were then unsettled.

The fifteen ordinary members and the corresponding members of the Economic Committee were appointed for the period September 1930 to September 1933. The countries which will for the first time have a national on the Committee are Sweden, Yugoslavia, the Argentine Republic and South Africa.

Since it has not been possible to summon the Economic Consultative Committee this year, the revision of its composition was postponed until next September so as to enable the Committee, as now constituted, to hold a session in 1931.

In the course of the survey of the economic work of the League, Sir Robert Borden moved an amendment to the preliminary draft Convention for the regulation of whaling. The text of this amendment will be circulated at the same time as the draft Convention for consideration by the Governments concerned.

The Council approved arrangements for a second session of the Conference for the Unification of Laws on Bills of Exchange. This second session will deal with cheques. It also decided that early next year the first Conference of Central Police Offices recommended by the Conference for the Suppression of Counterfeiting Currency should be convened.

The Financial Committee was authorized to undertake an inquiry concerning the manner in which the statistics on the industrial use of gold can be improved and to prepare drafts of the various documents, such as protocols, loans, contracts, etc., for the Convention on Financial Assistance.

The Greek Refugee Settlement Commission is to be dissolved on December 31, though it has the right, if unforeseen circumstances arise, to prolong its own existence. The settlement of Bulgarian Refugees is also about to enter upon its final stage. It is expected that it will be completed by the middle of 1931. The political and legal protection of Russian, Armenian, Assyrian, Assyro-Chaldean and Turkish Refugees will be entrusted to the League's regular organs, and an International Office for Refugees will be created to deal with the humanitarian work hitherto entrusted to the High Commissioner for Refugees.

As regards communications, a European Conference on Road Traffic was convened for March, 1931; and the procedure for the settlement of disputes laid down in the Agreement, signed on May 21, 1931, between the Swiss Federal Council and the Secretary-General of the League, concerning the establishment at Geneva of a wireless station, was found satisfactory and the Secretary's General's signature was confirmed.

Revision of the composition of the Permanent Court and of the salaries of the judges was proposed to the Assembly, and the examination of the Finnish proposal to confer on the Court jurisdiction as a tribunal of appeal in respect of arbitral tribunals established by States was placed upon its agenda.

The Council approved of the recommendations of the Committee of Inquiry into the Traffic in Women and Children in the East respecting its investigations there.

On offer of the French Government to found in Paris, under the auspices of the League, an international school for advanced health studies was accepted. On the proposal of the Spanish Government a European Conference on Rural Hygiene was convened for April 23, 1931.

The Secretary-General was requested to communicate the Standard Minimum Rules for the Treatment of Prisoners, drafted by the International Prison Commission, to all Governments for their observations.

The Council approved the reorganization of the Committee on Intellectual Co-operation and decided to renew one-third of the members of the Committee at its next Session.

## THE FIRST COMMITTEE

### *The Amendment of the Statute of the Permanent Court*

It will be recalled that the 10th Assembly on September 14, 1929, approved the Protocol for the Revision of the Statute of the Permanent Court of International Justice embodying certain changes in the organization and composition of the Court that its ten years of experience had indicated as desirable. It was hoped that these changes which had been unanimously endorsed by the Assembly would receive the prompt ratification of the States signatories of the original Protocol of December 16, 1920. In order to facilitate the entry into force of these amendments a novel procedure was agreed upon. The Council of the League was empowered to declare the amendments in effect on September 1, 1930, provided that no objections to such a course had been received from States whose ratifications would otherwise have been necessary to bring the Protocol into force. However, on August 26, four days before the period for registering objections expired, the Government of Cuba exercised its liberum veto and informed the Secretary-General that it could not consent either to the summary procedure employed in lieu of the regular receipt of ratifications or to certain of the substantial changes incorporated in the Protocol of Amendment.

In view of the fact that the conditions necessary to bring the Protocol into force had not yet been fulfilled, the Council, at its meeting of September 12, requested a Committee of Jurists to study the complicated situation created by the action of Cuba and suggest what steps the Assembly could take before proceeding to the election of the new bench of the Permanent Court.

The proposals of the Committee of Jurists were approved by the Council and commended to the Assembly which referred them to the First Committee for examination and report. After an exhaustive examination of the ways and means by which the Assembly could extricate the Court from the impasse in which the Cuban action had placed it, it was decided to use the machinery of the Assembly to attain some of the objects sought in the Protocol of Amendment. As the Assembly had the power under Article 3 of the Court Statute to increase the number of judges constituting the Court but had no authority to abolish the post of deputy-judge, the First Committee recommended that the number of judges be increased from 11 to 15, as would have been the case if the Protocol of Amendment had entered into force, but was compelled to leave the deputy-judges in being—although their functions would disappear with the increase in the number of regular judges. Similarly the Committee advised the Assembly that it had the power to institute the revised schedules of salaries and pensions which had been incorporated in the Protocol of Amendment. The Committee expressed the hope that, pending the coming into force of the Protocol, the Court would consider the possibility of settling the question of its sessions and of the presence of judges, in the spirit of the Protocol, in accordance with Article 30 of the original Statute which gave it power to create its own internal regulations and rules of procedure. Although some of the more important objects of the 1929 Protocol were thus attained, it was not felt that the Protocol itself should be allowed to lapse. It was generally recognized that the Protocol for the Revision of the Statute of the Court was closely linked with the Protocol for the Accession of the United States of America to the Court and that it would be difficult for the United States to accept the jurisdiction of the Court until the Protocol which, *inter alia*, clarified the procedure



in respect to advisory opinions, came into force. This consideration was an important factor in the Committee's conclusion that the Assembly should be invited to request all States which had not yet ratified the Protocol of Amendment to do so as soon as possible.

The recommendations of the Committee were approved by the Assembly which proceeded forthwith to elect the new members of the Permanent Court under authority of the original Statute of 1920 as modified by the Assembly resolutions embodying the recommendations of the First Committee.

### *The Ratification of Conventions Concluded Under the Auspices of the League of Nations*

The question of ratification of League Conventions was considered by the First Committee in the light of the report of the special committee of jurists appointed to study this question which was first raised at the 10th Assembly by the Danish delegation. After a brief general discussion, which disclosed no great divergence of opinion, the Committee unanimously approved a resolution drafted by the Danish and British delegations which set forth the steps that could be taken to increase the number of ratifications of treaties signed under the auspices of the League, and reduce the delays between the date of signature and that of ratification.

Each year the Secretary-General will request any State that has signed a general Convention, but has not ratified it before the expiry of one year from the date on which the Protocol of Signature is closed, to state its intentions as regards ratification.

At suitable times and intervals the Secretary-General will request Governments of State Members that have neither signed nor ratified a Convention within a period of five years from the date on which it was open for signature to state whether they think it possible to communicate their views regarding the Convention, *i.e.*, whether they see any possibility of acceding thereto, or the reasons for which they feel unable to accept it.

As regards Conventions adopted by an inadequate number of States, the Council of the League will consider whether it is desirable to summon a new Conference to amend the Convention or take other suitable steps to facilitate acceptance of the Convention by a greater number of States.

Supplementing these steps designed to secure the ratification of existing Conventions are a series of recommendations concerning the procedure to be followed before summoning general conferences in future. The procedure proposed is based on the experience gained at recent conferences, some of which, in the opinion of many competent judges, failed to achieve their object because the ground had not been adequately prepared in advance. Henceforward, if the conclusion of a General Convention is recommended by an organ of the League, *i.e.*, by the Economic Committee or the Health Committee or the Organization for Communication and Transit, that organ must prepare a memorandum explaining the objects and advantages to be expected from such a Convention. If the Council of the League approves the proposal in principle, a first draft will be prepared and communicated with the explanatory memorandum to the various Governments which will be invited to inform the Secretary-General whether they consider that the draft merits consideration. The draft Convention and the observations of the various Governments will then be communicated to the Assembly which will have to decide, in the light of this information, whether or not it will ask the Council to convoke the contemplated Conference.

The purpose of this rather elaborate preparatory procedure is to make the position of the various Governments and the possibility of success very clear before the convoking of the Conference is decided. The Council will then be in a position to decide whether, and on what date, the Conference should meet.

In so doing it will endeavour, as far as possible, to avoid simultaneous conferences or of the holding of one conference too soon after another.

These recommendations of the First Committee were unanimously approved by the Assembly.

### *Amendment of the Covenant*

The proposals of the Eleven Jurists who studied, at the Council's request, the possibility of bringing the Covenant into harmony with the Briand-Kellogg Pact were thoroughly examined by the First Committee, which finally came to the conclusion that they should be referred to the Governments for further consideration.

On certain points the proposals gave very general satisfaction. They included the desired general prohibition of resort to war. They provided a new procedure for the settlement of disputes by pacific means even if, as some thought, they converted the functions of the League Council from those of a mediatory and conciliatory body to those of an arbitral and judicial authority. But the Report was criticized for not taking sufficiently into account the inherent differences which lawyers held to exist between the Covenant and the Pact, the political and juridical difficulties which might ensue from any attempt to fuse them, and, most important of all, the extension of sanctions. Doubts were expressed, in particular, on the possible effect of the amendments on the reservations and interpretations which certain States have made in acceding to the Kellogg Pact. It was suggested that the existing treaties, which, either textually or implicitly, contemplate the possibility of war or contain definite obligations of military action, would become obsolete. The question of the conditions of the coming into force of the amendments was also a question on which all the delegates did not hold the same views. Some declared their intention to sign and ratify, but subject to the ratification of a disarmament convention as contemplated under Article 8 of the Covenant.

These outstanding questions were referred to a Sub-Committee which counselled postponement and submitted new texts. These texts, which are given below, will be communicated to Governments for their observations, together with the report of the Committee of Eleven Jurists.

The broad principles of both documents are the same. In each case the proposal is that war would be definitely and completely excluded from international life, and that the nations should agree never to employ other than pacific means for the settlement of their disputes. As a corollary to that, certain proposals have been made for strengthening the means of pacific settlement already existing in the Covenant. But, in the new draft, there is noticeable a certain re-arrangement of phrasing, carried out with a view to rendering the text clearer and more logical, while the binding character of a unanimous report by the Council has been done away with, and with it has disappeared paragraph 7 bis (Article 15). The word "invite" has been introduced into Article 15, paragraph 6, as has also the undertaking by Members of the League in no way to support any party in refusal to comply with the recommendations of the Council. The Sub-Committee only returned to the original principles established by the existing Covenant from a conviction that the Council was essentially a political organ and, as such, should retain an elasticity and a freedom of decision which might be seriously hampered if its recommendations were recognized as binding.

*Amendments Proposed by the Committee of Eleven.*

*Preamble*

In order to promote international co-operation and to achieve international peace and security *by accepting the obligation* not to resort to war.

*Article 12, Paragraph 1.*

The Members of the League agree that, if there should arise between them any dispute likely to lead to a rupture, they will *only employ pacific means for its settlement.*

*If the disagreement continues, the dispute shall be submitted either to arbitration or judicial settlement, or to enquiry by the Council. The Members of the League agree that they will in no case resort to war for the solution of their dispute.*

*Article 13. Paragraph 4.*

The Members of the League agree that they will carry out in full good faith any award or decision that may be rendered and that they will not *take any action* against any Member of the League which complies therewith.

In the event of any failure to carry out such award or decision, the Council shall propose what *measures of all kinds* should be taken to give effect thereto; *the votes of the representatives of the parties shall not be counted.*

*Article 15. Paragraph 6.*

If the report by the Council is unanimously agreed to by the members thereof, other than the representatives of one or more of the parties to the dispute, the Members of the League agree that they will *comply with the recommendations of the report.* *If the Council's recommendation is not carried out, the Council shall propose suitable measures to give it effect.*

*Amendments Proposed by the Subcommittee of the First Committee*

*Preamble*

In Order to promote international co-operation and to achieve international peace and security by accepting the obligation not to resort to war.

*Article 12, Paragraph 1 and 2.*

1. The Members of the League agree that, if there should arise between them any dispute likely to lead to a rupture, they will *in no case have recourse to war for the settlement of the dispute and will only employ pacific means for this purpose.* *If the dispute cannot be otherwise settled, it shall be submitted either to arbitration or judicial settlement or to enquiry by the Council.*

2. *The award of the arbitrators or the judicial decision shall be given and the report of the Council shall be made within a reasonable period.*

*Article 13. Paragraph 4.*

The Members of the League agree that they will carry out in full good faith *the award or decision rendered in a dispute to which they have been parties.* *They further undertake in no way to support a State in refusal to carry out an award or decision.* In the event of any failure to carry out such an award or decision, the Council shall propose what measures of all kinds should be taken to give effect thereto; the votes of the representatives of the parties shall not be counted.

*Article 15. Paragraph 6.*

If the report by the Council is unanimously agreed to by the members thereof, other than the representatives of one or more of the parties to the dispute, the *Council shall invite the parties to comply with the recommendations of the report.* *The Members of the League undertake in no way to support any party in refusal to comply with such recommendations.*



*Article 15. Paragraph 7.*

If the Council fails to reach a report which is unanimously agreed to by the members thereof, other than the representatives of one or more of the parties to the dispute, *it shall examine the procedure best suited to meet the case and recommend it to the parties.*

*Article 15. Paragraph 7 bis.*

(New Paragraph).

At any stage of the examination, the Council may, either at the request of one of the parties or on its own initiative, ask the Permanent Court of International Justice for an advisory opinion on points of law relating to the dispute. Such application shall not require a unanimous vote by the Council.

*Article 16.*

(No change proposed).

*Article 15. Paragraph 7.*

If the Council fails to reach a report which is unanimously agreed to by the members thereof, other than the representatives of one or more of the parties to the dispute, it shall examine the procedure best suited to meet the case and recommend it to the parties.

*Article 15. Paragraph 7 bis.*

(Suppressed).

*Article 16. Paragraph 1.*

(First Sentence.)

1. Should any Member of the League resort to war in disregard of its covenants *under Article 12*, it shall, ipso facto, be deemed to have committed an act of war against all other Members of the League. . .

*Codification of International Law*

The First Committee once more emphasized the importance which it attached to the development of international law, in particular by codification. It considered that the results of the First Codification Conference, which was held at The Hague in March and April, 1930, were not of a nature to discourage further efforts.

But as the minutes of the Conference were not yet printed, and as they would have to be studied before any idea can be formed of the results obtained and the action to be taken, the Committee proposed to adjourn this question until its next session. It recommended that the Assembly request the Council meanwhile to invite the Governments to communicate, if they so desire, their observations on the suggestions of the Codification Conference with regard to future work and, in particular, the procedure to be followed in preparing for subsequent conferences.

*Vice-Presidents of the Assembly*

The First Committee also considered the proposal to increase the number of Vice-Presidents from six to eight, which had been submitted to the Assembly at its tenth ordinary session, and decided not to recommend its acceptance.

The conclusions of the report were adopted.

## SECOND COMMITTEE

### (Technical Organizations)

#### *Economic Work*

The economic work of the League, as was to be expected during a period of depression, received more attention than usual in the Second Committee.

Greater international co-operation was considered by many representatives to be essential for a return of prosperity. Opinions differed, however, as to the form which such co-operation should take. Certain delegates objected to the League being used to unify existing economic policies and to advance any particular commercial system, such as free trade, protection, preference. It was pointed out that a policy of protection might be of more value to certain countries at certain stages in their economic development than free trade and that therefore the League should not be committed to any definite policy.

The concerted economic action which was undertaken last year came in for considerable attention. The Committee was generally of opinion that such action was more than ever urgent and should be vigorously pursued. It accordingly recommended that as large a number of States as possible should ratify the Commercial Convention of March 24, 1930, and that States which had not signed or ratified it should in practice give effect to its provisions. This recommendation naturally placed the overseas Dominions and certain other non-European States which had taken no part in drafting the Convention in an embarrassing position. The Canadian Delegate (Dr. W. A. Riddell) pointed out that he must dissociate his delegation from this recommendation.

The members of the Committee were asked to declare their attitude towards two questions which are of particular interest to Canada: the most-favoured-nation clause as embodied in commercial treaties, and tariff preferences.

The need for an enquiry into the use and limitations of the most-favoured-nation clause was generally recognized. Agreement as to the terms of reference was more difficult to obtain. Some delegates thought that the clause ought to be defined in such a way as not to exclude exceptions such as measures against dumping. Others favoured an exception for the agricultural products of certain European countries. It was also contended that even the exigencies of a depression did not justify reducing the scope of the clause and tampering with its integrity. Eventually the Second Committee decided to recommend that the Economic Committee should go again into the whole problem, in view of the new facts available.

It was frequently questioned in the course of this discussion whether Customs quotas, Customs specifications, anti-dumping measures, countervailing duties, and plurilateral conventions are compatible with the most-favoured-nation principle.

On Customs quotas opinions differed widely. Customs quotas were defined as "regulations establishing, for fixed quantities of certain goods, lower rates of customs than for quantities exceeding these limits." Some delegates considered that quotas were in conformity with the most-favoured-nation clause when the maximum quantity laid down as admissible for import under favourable terms into a particular country was fixed for each exporting country in proportion to its normal exportation of the goods in question to the importing country, and that, on the contrary, quotas were not in conformity with the clause when the quantities granted were the same for all exporting countries whatever their normal volume of exports might be. Other Delegates did not think that the quota system afforded a means of evading the clause. In their opinion it was perfectly compatible with the clause to treat all countries alike in regard to quantities allowed for importation under a customs quota. They contended that it would be unjust and contrary to the more liberal conception

governing the exchange of goods if customs quotas were to be granted under most-favoured-nation treatment in proportion to the export requirements and to the power of production in the exporting countries.

Another question which was not free from difficulties was the question of the relation between bilateral agreements based on the most-favoured-nation clause and multilateral economic conventions. The German Delegate thought that it was fair that the advantages involved in multilateral treaties, which were open to the adhesion of all other States, should be excepted from the most-favoured-nation clause and limited to the countries which were parties to such multilateral conventions. The other countries had an opportunity of joining such conventions, and if, for reasons of their own policy, they remained outside these multilateral conventions, they did not undertake the respective obligations involved. They could, therefore, not lay claim to the rights which these conventions gave.

The British Delegate (Miss Lawrence) recognized that parties to the latter class of treaties might sometimes feel it unreasonable that they should be bound to accord to other countries the advantages of multilateral treaties which they did not enjoy in those countries. Nevertheless this was an essential feature of the most-favoured-nation clause itself. It would in her opinion cause conflict with the whole spirit of the clause if it were open to any group of countries to conclude arrangements with each other which they did not extend to other countries.

The Canadian Delegate supported the proposal for resuming the enquiry on the most-favoured-nation clause. On the other hand, he frankly refused to co-operate in the scheme of European preference for European grain which had been put forward by the eight States signatories of the so-called Warsaw Resolutions. The representatives of these countries in the Committee pointed out the necessity of such preferential treatment and explained that, as they could only supply a small percentage of the demand, their plan would not be detrimental to the great overseas producing countries. They stressed that what they wanted was not a regional agreement but an exception to the most-favoured-nation clause, and stated that, if they were unable to obtain the recognition of this exception, they would have to fall back upon regional agreements. Such preferential treatment, once obtained, they argued would be temporary and would be limited to cereals and to those European countries which were organized on a capitalist basis. Russian cereals would be excluded from the benefits of the preference because these were sold at "dumping" prices and for political ends. They did not address their request for preference to the free trade countries of Europe. On the markets of those countries they proposed to face free competition.

A number of overseas countries, in particular India, Australia, South Africa and Canada, took part in opposing this proposal. It was also opposed by other countries, including Great Britain.

The Canadian Delegate, while appreciating the value of certain of the Warsaw resolutions, raised serious objections to the one dealing with preferences and took the position that the Committee should merely note its contents.

At the conclusion of the debate, the Rapporteur, as is customary, prepared a Report summarizing the discussion and the general proposals before the Committee. The overseas Commonwealth Delegations and the British Delegation considered that this Report did not take sufficient account of their point of view on the matter of preference as expressed during the debate. The Canadian Delegate, acting as representative of the Commonwealth group, after considerable negotiation had the following statement inserted in the Report to the Assembly:

The Delegations of Australia, Canada, India, New Zealand and the Union of South Africa, without pronouncing upon the substance of the



question, have expressed the opinion that the proposal contained in the Warsaw resolutions to accord preferential treatment on the European markets to cereals produced in Europe is not a question on which the Eleventh Assembly of the League of Nations should express an opinion.

The resolution finally submitted to and adopted by the Assembly made no pronouncement on the subject, contenting itself with stating that it was a proper question to raise during the negotiations to be opened in November.

When the Report was before the Assembly the Delegate of Canada (Sir Robert Borden) and certain other Dominion delegates reiterated their reservations.

After some discussion, the Assembly adopted the nineteen resolutions presented by the Second Committee.

### *Work of the Financial Committee*

The Report of the Financial Organization of the League laid before the Second Committee was of more than usual importance as it contained not only a summary of the year's work but also a review of the Financial Committee's past work and a considered statement of its functions.

The first part of the report records the successful termination or proximate termination of four of the major pieces of work which have occupied so much of the Financial Committee's time in recent years—the Greek refugee settlement scheme, measures in connection with the financial reconstruction of Greece, the Bulgarian refugee settlement scheme, and the monetary and banking re-organization of Estonia. With reference to the financial reconstruction of Greece, the Second Committee expressed the opinion that the work had been remarkably successful. The Greek budget had been balanced during the past three years and a number of financial and administrative reforms had been adopted. The problem of financial reform in Estonia arose rather from currency and banking than from budgetary difficulties. The period of three years during which an adviser appointed by the Council was attached to the Central Bank had now come to an end and the reform has been successfully completed.

Other questions on which the Financial Committee has been engaged during the year include the Convention on Financial Assistance, the falsification of documents of value, Greco-Bulgarian emigration, the proposed Saar Loan, the Hungarian Committee of Control and the Agrarian Fund, the Danzig loans, etc.

The successful conclusion of the work of financial restoration led the Financial Committee to explain its views regarding its future work and the principles by which it would be guided, in a statement which was approved by the Second Committee.

The Financial Committee states that it proposes, as in the past, to watch general financial developments and, from time to time, to take the initiative of making proposals to the Council for the study of any general question that seems at the time to be of special importance. It has already studied general questions such as the suppression of counterfeiting currency, double taxation and tax evasion, and the fluctuations in the purchasing power of gold; other studies which may be initiated are those concerning the conditions determining the flow of capital from one country to another, the recurrence of periods of prosperity and depression, agricultural credit, etc.

Similarly, the Financial Committee will continue to advise Governments on problems which do not demand for their solution the flotation of special loans, such as treasury, budget or taxation systems, currency and central bank systems; the organization of agricultural credit, general financial conditions, etc.

There remain the exceptional cases in which the Committee may be called upon to deal with questions of financial reconstruction combined with the issue

of a loan under the League's auspices, and even to consider loans for the economic development of a country, when they present special international interest or advantages. Finally, the Financial Committee suggests that its assistance may take the form of conciliation and arbitration for disputes of a financial character, in particular those concerning loan contracts.

As in the past, the Financial Committee will continue to advise the Council on all financial questions arising in the course of the Council's current political and administrative activity.

A new piece of work, undertaken by the Financial Committee at the request of the Bulgarian Government, is a study of the organization of the co-operative system in Bulgaria. It has now been definitely arranged that two experts of recognized authority on co-operative questions shall be sent to study the situation on the spot. The Second Committee's rapporteur to the Assembly expressed the opinion that the enquiry was likely to prove of value not only to the country directly concerned, but also to the Financial Committee itself in connection with another question of general importance that had recently come before it, namely, that of agricultural credits referred to it by the Conference on Concerted Economic Action. This recent development, he considered, would no doubt be watched by all agricultural States that were interested either in the assistance that might be afforded by special enquiries and advice or in the wider problem of the organization of agricultural credit.

The Second Committee recommended the Assembly to draw the special attention of all States to the interim report on the purchasing power of gold issued by the Gold Delegation of the Financial Committee. It suggested that the Secretary-General should undertake an enquiry, in consultation with the Financial Committee, concerning the manner in which statistics of the industrial use of gold might be improved.

### *Work of the Fiscal Committee*

This youngest standing committee of the League is preparing at the moment a multilateral convention for the avoidance of double taxation. With the help of a grant from the Rockefeller Foundation it is enquiring into the manner in which branches of foreign companies are taxed in different countries. It has drafted rules for distinguishing an autonomous agent from a permanent establishment. It has adopted on first reading rules for taxing patent and copyright royalties and has prepared a statement on the bearing of the most-favoured-nation clause upon taxation questions. With the Transit Organization it has prepared a draft convention on the taxation of foreign cars.

The Second Committee expressed the view that the work of the League in the field of double taxation had already brought about more equitable conditions.

The Canadian Delegate referred to the progress which had been made in avoiding multiple taxation of shipping profits, but pointed out that less progress had been made in the prevention of double taxation of other kinds of business profits and of investment income. A number of countries still attempted to levy taxes both in the place in which the goods or funds originated and in the place to which they went. Uniform rules should be drawn up governing the allocation and distribution of profits as between the various branch establishments of one and the same concern where these branch establishments were situated in different countries, so that profits should not undergo a double assessment. Financial corporations and their holdings abroad should not be considered as one but as two or more entities, and each should be taxed in its respective jurisdiction only, without regard to where or by whom the shares were held.

### *Communications and Transit*

The work of the Organization for Communications and Transit was considered by the Second Committee with special reference to the results obtained in the following fields: transport facilities for newspapers, unification of transport statistics, air transport co-operation, unification of river law, unification of buoyage and lighting of coasts, the efforts made to bring commercial motor transport within the scope of international regulations for freedom of communications and transit, and the reform of the calendar.

It now seems probable that, in the course of 1931, the Transit Committee may be able to reach definite conclusions, and present a comprehensive plan for the unification of transport statistics, which may be presented for approval and adoption by a Conference to be held in 1932.

A sub-Committee of the Air Committee has been organized to study in detail the constitution and operation of the main network of permanent air routes. The sub-committee will also study the question of postal air transport.

The Conference on Buoyage and Lighting of Coasts met in October, 1930, and the Conference for the Unification of River Law in November. The European Conference on Road Traffic has been summoned for March, 1931. Its agenda will include the question of road signalling, abolition of taxes on foreign motor vehicles, and the international regulation of commercial motor transport.

It is proposed that the Fourth General Conference on Communications and Transit should meet towards the end of 1931. It will examine the question of stabilization of movable festivals and the general problem of the institution of a perpetual calendar. The Transit Committee has expressed its conviction that the discussions between Governments and between experts will refer only to the social and economic aspects of such questions, and not to the religious aspects.

### *Health Organization*

The Health Organization has been occupied in a great variety of studies—in studies regarding tuberculosis, malaria, sleeping-sickness, rabies, infantile mortality, a particularly laborious enquiry into syphilis, and an enquiry into the proper methods of utilizing radium. Springing from such studies is the movement for the further education of health officers, whether by short courses of study or by prolonged periods of training.

The Second Committee noted with satisfaction that the activities of the Organization were being continually extended, and noted with pleasure the work being done in Greece, Bolivia, and China, which had asked for the technical advice of the League in the development of their public health services; it expressed the hope that the experience gained by the Organization might be made increasingly available to Governments.

A very great number of suggestions were made. Some delegates asked that the work of the Singapore Bureau should be extended; others demanded fresh studies on such subjects as medicinal plants, leprosy, cholera and plague, and additional work with regard to malaria, inquiries into maternal mortality, and the care of the blind, and into the care of children under school-age.

The Second Committee also considered a proposal by the Hungarian Government that the League should study the question of international reciprocity in the care of the sick. The Hungarian Government suggested that a multilateral convention should be framed under the auspices of the League or, if this were not feasible in the near future, the League should recommend its Members to conclude bilateral agreements on this subject. This proposal was referred by the Assembly to the Health Committee.

### *Intellectual Co-operation*

The Second Committee was in full agreement with the recommendations of the Committee of Inquiry which had been appointed to suggest ways and means of improving the organization for intellectual co-operation.



Delegates, in reviewing these recommendations, emphasized the necessity of concentrating on a few problems instead of spreading over a large number as had been the policy in the past. Questions should be dealt with only when they were felt to be important and urgent. It was further agreed that better results would be obtained by simplifying and co-ordinating the machinery and procedure of the organization as a whole. The following detailed changes were suggested by the Committee of Inquiry:—

1. The Committee on Intellectual Co-operation should be reconstituted so as to afford more equitable representation to the larger schools of thought.

2. The Sub-Committee, which had tended to become in effect more a Committee of Experts, should be suppressed. Exception was made in the case of the Sub-Committee on Arts and Letters, which it was felt could still do useful work.

3. Two new Committees should be formed: an Executive Committee, and a Director's Committee to follow and supervise the developments in intellectual co-operation.

4. Regular and intimate relations should be established between the Committee on Intellectual Co-operation and the National Committees.

5. The Paris Institute should be re-organized so as to bring it into harmony with the whole scheme.

The Second Committee expressed the hope that, after the contemplated re-organization had taken place, the interest and sympathy already displayed in the work would be extended, and that, in consequence, there would be increased contact and closer relations between qualified organizations and individuals as regards scientific studies and research work.

Turning to another point, the Second Committee noted the progress made in the instruction of youth in the aims of the League of Nations, and recommended the Assembly to request Governments to keep the Secretariat and its Educational Information Centre informed of the steps taken in the various countries to give effect to the recommendations of the Sub-Committee of Experts.

It considered that the Governments which have acceded to the Conventions concerning the international exchange of publications should provide the funds necessary to enable their national liaison bureaux to carry out the provisions of these Conventions.

The Second Committee also considered that Governments should give their sympathetic consideration to the draft Convention prepared by the International Education Cinematographic Institute for the abolition of Customs barriers which interfere with the distribution of educational films.

### THIRD COMMITTEE

#### (Reduction of Armaments)

The questions referred by the Assembly to the Third Committee were divided into two groups for the purposes of discussion.

GROUP 1.—*The Work of the League since the last Session of the Assembly in respect of the Reduction of Armaments.*

#### (a) *Preparatory Commission for the Disarmament Conference*

There had been no session of the Preparatory Disarmament Commission since May, 1929, when the Commission adjourned in order to allow the Naval Powers to come together in an endeavour to solve the problem of naval disarmament; an agreement between the Naval Powers was considered to be not only desirable but necessary for the completion of the Preparatory Commission's work.

The London Naval Conference sat from January until the end of April, 1930; only Great Britain, the United States of America and Japan reached a complete agreement. France and Italy did not find it possible to join the other three Powers; generally speaking, Delegates of the Naval Powers in London considered that there was nothing to be gained by re-convening the Preparatory Disarmament Commission before the political atmosphere had cleared a little. It was therefore decided not to convene the Commission until November.

The Third Committee thus found itself in an entirely different position to that of last year. Then controversy was rife over the date of the next session of the Preparatory Commission; now the date was fixed. The effect was to curtail the discussion on disarmament—all Delegates agreed that the next session of the Preparatory Commission should be the last, and that the Disarmament Conference should meet as soon as possible.

On the general subject of disarmament, the Delegates of Norway, Germany, Hungary and China were pessimistic. Most of the other Delegates did not commit themselves to an appreciation of the work already accomplished; they repeated simply that their Governments were anxious for a speedy solution of the disarmament problem.

The Delegate of Norway said that he had been waiting for ten years for Article 8 to be carried into effect, both in its spirit and in its letter. The hour was critical; so far nothing had been done in the way of disarmament, and the obligations under Article 8 were sacred. He thought it was possible to achieve some measure of disarmament in the present state of security; public opinion expected much, and to his mind was still waiting.

The Delegate of Germany (Count Bernstorff) stated that his lack of optimism might be due to the fact that he had been coming, with optimism, for five years to the sessions of the Preparatory Commission, each time going away with no results. Up to the present he could say that the Preparatory Commission had done nothing. He regretted having to say this just as much as he regretted having to say at the last session of the Preparatory Commission that his Government would disclaim responsibility for the work of that Commission, believing that the results were so small that one could not speak of any reduction of armaments, let alone of disarmament. He asked that the Disarmament Conference be convened for 1931.

The British Delegate (Viscount Cecil) thought it was an exaggeration to state that the Preparatory Commission had done nothing so far; it had made very considerable progress towards the conclusion of the task which was entrusted to it. Although he was as anxious as anyone that the Conference should meet as soon as possible, he did not think it should be convened before adequate preparation had been made so that success would be achieved.

The Delegate of France agreed with the German Delegation that it was desirable that the Disarmament Conference should take place if possible in 1931, but added that it was the Council which had to undertake the responsibility of convening this Conference, and that the Committee should avoid trespassing on the province of duties of the Council.

The Canadian Delegate (Sir Robert Borden), who spoke on the general subject of disarmament at a plenary meeting of the Assembly instead of before the Third Committee, expressed disappointment and made an appeal for more rapid progress in the reduction of armaments.\* He said:—

“ I realize the complications that exist in Europe and elsewhere, and I recognize the earnestness of the efforts which have been made to carry out this purpose of the Covenant of the League of Nations. But I ask

\* Although Sir Robert Borden's statement was not made before the Third Committee, it is mentioned here and an extract from it is included, in order to complete the report from Canada's standpoint, by incorporating in it the views of the Canadian Delegate on disarmament in general.

you, and I think that the world is asking you to-day, whether the result, up to the present time, has been commensurate with the effort. So far as I understand the present situation it is proposed in the Preparatory Commission that, for the limitation of armaments, there shall be merely publicity of budgetary appropriations, and that the number of trained reserves shall not be taken into account. I confess that to me this seems no limitation at all. With all respect, I express my profound conviction that it does not in any measure fulfil the supreme purpose expressed in the Covenant. The Report speaks of mutual confidence. We have renounced war, have we not, by solemn engagement? To what end does the maintenance of enormous armaments still continue? Our engagement was solemn and sincere, was it not? Shall it not find expression in something more enduring than words, something more effective than what has been proposed up to the present?

Ladies and Gentlemen, I say, with all respect, that in this regard the League of Nations stands to-day at the bar of public opinion. The burden of armaments is intolerable; their continuance is a perpetual menace to world peace. Do not forget that many voices call us to act. A great Irishman more than a century ago said that the nation consists not of the living alone: it consists of those who have passed away, of those who still live, and of those who are yet to be born. Is there not a voice that calls to us from the dead?—the vast unnumbered fallen of all the warring nations who sleep on the plains of Europe, united in the great brotherhood of the dead. Is there not a voice from the living who still mourn; and shall we transmit a war-burdened, a war-cursed world, to those who are yet to be born?

It is my most earnest hope that the confidence expressed in the Report with respect to the work of the Preparatory Commission at its next session will be fully justified. It may be, and I recognize this fully, that the progress hitherto made is more real than apparent. I entirely agree with the view expressed by Viscount Cecil of Chelwood in the Committee that it is most undesirable to approach this subject in the Disarmament Conference until such thorough preparation shall have been made as will render its conclusions effective. However that may be, I have spoken to you what is in my heart. I only wish that I possessed the eloquence of some of the distinguished orators who from time to time address the Assembly, to put it more convincingly, but as it lies in my heart I have said it. Let us pray with all the fervour imaginable that the Conference, and the Council and Assembly after it, may soon accomplish this, one of the supreme purposes for which the League of Nations was created.

The Committee in its resolution expressed the conviction that, during its session next November, the Preparatory Commission would be able to finish the drawing up of a preliminary draft Convention, which would enable the Council to convene, as soon as possible, a Conference on the Reduction and Limitation of Armaments.

The Delegate of Germany would not accept the wording of the resolution which stated that the Disarmament Conference should be convened *as soon as possible* because since 1927 the Committee had been repeating the same thing; he feared that the confidence of people would be destroyed. He would therefore abstain from voting. The Austrian and Hungarian Delegations associated themselves with the German Delegation to request that the date of the Conference be inserted in the resolution: they also abstained from voting.

The Committee decided to insert in the *report* but not in the *resolution* that the Committee desired to see the General Conference convened during 1931.



*(b) Private Manufacture of and Publicity in regard to the Manufacturing of Arms and Ammunition and Implements of War.*

Since August 1929 there has been no session of the Special Commission to which has been entrusted the work of preparing a draft Convention on the Supervision of Private Manufacture and the Publicity of the Manufacture of Arms. The Commission adjourned at that time because it could not agree upon a text, particularly in regard to the publicity of State manufacture. The Tenth Assembly decided that it would be inadvisable for the Special Commission to meet again until the Preparatory Disarmament Commission had concluded its work on the question of the publicity of war material. As no session of the Preparatory Disarmament Commission has been held since the last Assembly the situation this year was exactly the same. There was nothing for the Third Committee to do but to recommend to the Council to convene the Special Commission after the Preparatory Disarmament Commission had concluded its work in regard to publicity of war material. This the Committee did.

*(c) Supervision of the International Trade in Arms and Ammunition and in Implements of War.*

In 1925 a Convention for the Supervision of the International Trade in Arms and Ammunition and in Implements of War was signed; this Convention, to enter into force, required fourteen ratifications. Only ten ratifications and one accession have been received. At the May 1930 Session of the Council the British Delegate proposed that there should be a Conference of signatory States in order to consider how the Convention might be brought into force with as little delay as possible. The council, however, thought it would be preferable to adjourn the discussion of this question until after the next session of the Preparatory Disarmament Commission. The Third Committee and the Assembly adopted this view, and did not further discuss the matter.

*GROUP II.—Report of the Committee on Arbitration and Security on the Work of its Fourth Session*

*(d) Draft Convention on Financial Assistance.*

The Committee on Arbitration and Security working in conjunction with the Financial Committee completed the Draft Convention on Financial Assistance in May, 1930; this Convention was submitted to the Third Committee for approval. The Chairman suggested that it would not be necessary to have a general discussion on the matter because the subject had already been very thoroughly threshed out both before the Third Committee and before the Committee on Arbitration and Security. This view was accepted; the Hungarian Delegate, however, made the following general statement:

He believed that the Draft Convention exceeded in several respects the limits laid down by the League Covenant, in particular by amplifying the power of the Council under the Covenant. The Council was essentially a diplomatic organ and its decisions, however well intentioned they might be, were naturally affected by the special interests of the countries represented. It followed, therefore, that these decisions might not always be in accordance with the interests of countries not represented on the Council and in certain cases might run directly counter to them. In these circumstances Hungary, which was not a Member of the Council, could not accord its sympathy to a scheme which would extend the powers of the Council to questions which, notwithstanding their importance in Hungary, would be discussed and settled within the Council without any opportunity being given to the Hungarian Government to express its opinion. His uneasiness on this point was all the keener because

the Convention gave the Council the power to decide whether a country had or had not violated its international obligations, although in many cases such a decision involved points of an essentially juridical nature which the Council as a diplomatic organ should not be called upon to decide.

After a detailed discussion of each Article, the Draft Convention was accepted in the form and in the substance prepared by the Committee on Arbitration and Security. A few minor changes were introduced, but there was no essential modification.

Article 1, dealing with Financial Assistance in case of war, was altered slightly. The High Contracting Party undertakes now to submit the dispute not only to judicial or arbitral settlement but *also to any other pacific procedure which the Council may deem suitable*.

Under Article 2, which treats of the case of threat of war or of an international dispute likely to lead to a rupture, the Delegate of Germany repeated his Government's objection expressed already before the Committee on Arbitration and Security, to the extension of financial assistance to cases of threat of war. By granting a loan the Council definitely and almost irrevocably took up a position in favour of one of the two parties to the dispute, and after the Council had adopted this position the party against which the loan was granted would no longer be inclined to recognize the Council as an impartial authority. By the fact that the loan had been granted, the mediatory and conciliatory action of the Council could no longer be usefully employed. There was a second danger—the State to which the loan was granted might use it to complete its armaments, so that its position might become definitely superior to that of its adversary. It might then change its attitude; instead of being the threatened party it might assume a menacing attitude and might even become the aggressor. It was inadmissible that funds for the maintenance of peace should be employed to forge the weapons of war.

The Delegate of Norway stated that his Government had very serious doubts as to the application of financial assistance in cases of threat of war, and that his delegation would abstain from voting on this Article.

An important paragraph was introduced in Article 15. It was agreed that, in cases of threat of war, the Protocol regulating the conditions of the loan should contain provisions enabling the Council to suspend at any moment the payment to the Government receiving the loan of such part of the proceeds of the loan as was not yet paid if the Council considered that such a measure was rendered necessary by the attitude of that Government after financial assistance had been granted to it.

Although there was some opposition on the part of a few Delegations to making the coming into force of financial assistance dependent upon the completion of a general disarmament plan, as provided in Article 35, the weight of opinion was in favour of accepting this principle.

On the proposal of the Delegate of France the Committee recommended that the Council should instruct the Financial Committee to prepare drafts of the various documents referred to in the Convention that might be necessary for its entry into force, such as protocols, loan contracts, etc.

The Representatives of Austria, Hungary, India, New Zealand, South Africa, Switzerland, Venezuela and Canada abstained from voting on the Convention.

The Representative of India, in abstaining, explained that, if the Convention failed to attract important support outside Europe, India might prefer to stand aloof. Should, however, the Convention attract support not merely in Europe, but also in Asia and elsewhere, then he believed that India would very probably desire to collaborate.

The Swiss Delegate said that his Government abstained because of the special situation which Switzerland occupied in the League of Nations and the necessity of maintaining, in conformity with the declaration of London of 1920, that regime of neutrality which had been alluded to recently in the Swiss Government's reply on the question of a European Union; that attitude of neutrality had been for many centuries the basis of the political status of Switzerland.

The Canadian Delegate made the following statement:—

"I should like to explain that I could not vote either for or against the Convention for the following reasons: I am not at all confident that the traditional policy of the late administration in Canada would have justified me in supporting some of the proposals it embodies. On the other hand, the Convention has so worthy and important a purpose and is surrounded by so many safeguards that I do not feel at all justified in voting against it. I desire to explain that, having regard to the fact that a new administration has recently come into power in Ottawa, and that domestic problems of a very urgent character have greatly occupied its attention, naturally it has had no opportunity of considering the Convention in its present form. I shall take the earliest opportunity that presents itself to advise my Government of what has taken place here, and if I should receive authorization to adhere to the Convention, I shall be glad to inform the Committee."

The Convention was accepted subject to the above abstentions.

The Committee instructed "the Secretary-General to take the necessary steps to bring the Convention officially to the notice of all States Members of the League that had not signed it before the end of the present session of the Assembly, in order that they might be able to do so on or before December 31, 1931, or to accede thereto after that date."

At the Twenty-first Plenary Meeting of the Assembly, held on the 2nd October, the representatives of 26 States signed the Convention; as two other States have since signed, there are now 28 signatory States

*(c) Preliminary Draft General Convention to strengthen the means of preventing War.*

It will be remembered that the Ninth Assembly recommended the above Treaty for the consideration of States Members and non-Members of the League, and hoped that it might serve as a basis for States desiring to conclude a treaty of this kind. The idea of the Model Treaty originated in 1927, when the German Government asked that certain suggestions which it made then, to strengthen the means of preventing war, should be embodied in a General Convention open to the signature of all States. During the Third Session of the Committee on Arbitration and Security (June-July, 1928) there was such opposition, however, to the idea of a General Convention, that it was decided to give to the Treaty the form of a model multilateral treaty which might be used also as a bilateral treaty.

At the Tenth Assembly, the Delegate of Great Britain revived the original idea of a general Convention: the Tenth Assembly, giving effect to this proposal, requested the Committee on Arbitration and Security to consider the possibility of transforming the Treaty into a General Convention. In pursuance of the Assembly's wish the Committee on Arbitration and Security at its fourth Session (April-May, 1930) examined the question, but was unable to agree upon a text; it decided to communicate to the Members of the League the draft dual-texted Convention.

When the matter was considered again by the Third Committee it was believed generally that there was no hope of achieving more in the Committee



than had been accomplished in the Committee on Arbitration and Security. Before the Committee on Arbitration and Security several Delegations, including the French, Polish, Roumanian, Czechoslovakian, Yugoslavian and Chinese, insisted that their Governments could not promise to carry out blindly the Council's instructions and recommendations unless a complete and definite system of supervision and of sanctions was incorporated in the Convention, the object of which would be to ensure that other States also obeyed the Council's injunctions, whether of a civil or military character. These Delegations considered not only that supervision and sanctions were essential but, moreover, that the Convention should enumerate the consequences which a transgressing party would incur if it violated the measures recommended by the Council and went so far as to assimilate such violation to an unprovoked aggression involving recourse to war under Article 16 of the Covenant. Other Delegations—notably the British, Italian, Japanese, German and Dutch—did not favour an obligatory imposition by the Council of supervision and sanctions.

The same deadlock occurred in the Third Committee.

The German and British Delegations, sponsors of the scheme, were anxious to produce a Convention, but the general atmosphere was not conducive to success.

The Delegate of France repeated the position taken up by the French Government since the beginning of the discussion on this question. The French Government had always believed that no measures of the sort provided for in the Model Treaty would be effective unless it were possible to supervise their execution, and to declare that the State which omitted to carry them out was to be regarded as an aggressor. All measures would be executed by the country which was acting in good faith, but its opponent would be able to profit by those very measures and continue to arm and to manoeuvre, whilst the country which acted in good faith would be unable to resist and might meet certain defeat because it had obeyed the recommendations of the Council.

The Canadian Delegate (Sir Robert Borden) was not sure that this country would be heartily in accord with the Convention. Canada would be prepared to undertake not to take prejudicial action during the Council's mediatory action, and she would rejoice indeed to see other Members of the League give similar undertakings. But he was not anxious to increase the measure of sanctions. He thought that the value of the League of Nations to the world rested on something transcending any effort to provide sanctions. He would not be prepared to give assent to the proposal involving strict supervision and sanctions. On the other hand, he did not see that there was any ground for criticism of the other proposal, although even in respect of that proposal he would find it necessary to reserve the right of the new administration, which had just come into power in Canada, to consider carefully all its effects. In short, he did not think that Canada would desire to become subject to any contractual or moral obligation not already set forth in the existing *Convenant* to undertake the enforcement of sanctions.

The British Delegate (Lord Cecil) expressed disappointment at the French expression of opinion and appealed to the Delegation to soften its attitude towards supervision and sanctions.

It was decided finally to appoint a special Committee composed of the Chairman, the Rapporteur and the Representatives of Great Britain, France, Germany, The Netherlands and Czechoslovakia, in order to see if it would not be possible to conciliate the divergent views. This special Committee met and discussed the problem, but no appreciable advance was made towards a solution.

The special Committee reported to the Committee that it had reached the following conclusions, which were endorsed by the Committee:—

(1) The Committee is of opinion that, in principle, it would be advantageous to transform the model treaty into a General Convention to strengthen the means of preventing war.

(2) The Committee was unanimous in regard to the provisions given in Article 1 of the preliminary draft concerning the conservatory measures of a non-military nature which the Council may recommend the contracting parties to take.

(3) With regard to Article 2 of the preliminary draft, the Committee considered that this article might embody provisions to ensure the integral application of Article II of the Covenant, with a view to the prevention of war by making binding on all contracting parties the Council's recommendations for the avoidance of direct contact between the opposing forces, and for the avoidance of incidents at a time when relations between the States concerned in any dispute have become so strained that, in the opinion of the Council, there is a threat of war.

(4) The Committee likewise considered that the Convention should provide for a supervision of the measures which, in the cases mentioned in Article 2, would be decreed by the Council (Article 3 of the preliminary draft).

(5) Lastly, in view of the fact that the scheme was limited to the prevention of war, as mentioned in Article II of the Covenant, the Committee felt that it should be understood that the question of the methods of applying Article 16 of the Covenant would remain intact, and that, on the other hand, the proposed Convention would result in facilitating such application.

The Committee came to the conclusion that the formulation of the above-mentioned principles in a clearly defined text would call for further prolonged and exhaustive study, as a number of delicate questions of a technical nature would have to be solved.

Under these circumstances, the Committee proposes that the Assembly request the Council to form a special Committee to reconsider this question in the light of the principles adopted by the Committee, and to submit its report to the Council for discussion at the next session of the Assembly.

(f) *Communications affecting the working of the League of Nations in times of emergency: facilities to be granted to aircraft and to motor transport.*

1. *Aircraft*.—The Tenth Assembly requested the Council to have a study made of the measures required to ensure that aircraft engaged in maintaining communications of importance to the working of the League would be free, in times of emergency, to fly in such a way and over such territory as might be necessary for the carrying out of their mission. The Committee on Arbitration and Security examined this question at its Fourth Session (April-May 1930), when it drafted a Resolution for consideration by the Third Committee. With a few minor changes this Resolution was accepted by the Third Committee.

The resolution recommends that the Members of the League . . . . . should grant to aircraft used for air communications of importance for the working of the League all facilities for navigation and passage involved in the discharge of their missions. Such aircraft should enjoy all the rights granted by the most favourable conventional regime to Government aircraft other than military, customs or police aircraft, and should at no time be subject to any exceptional and temporary restrictions that might be imposed on air navigation.

It is worthy of note that the resolution is only a starting point: in its present state it could not be deemed to bind States in any rigid form, because it contains a disposition by which "each State shall retain the right to prohibit the whole or part of its territory being crossed by aircraft registered in another State or manned by a crew of foreign nationality, when such prohibition appears necessary for reasons of national safety.

**2. Motor Transport.**—The Third Committee decided to take up also the question of granting certain facilities to motor transport as well as to aircraft. It examined the work of the Advisory and Technical Committee for Communications and Transit and the draft resolution recommended by the above technical Committee and passed a resolution arranging for Governments to help in every way motor vehicles crossing their territory, when engaged in League work in times of emergency.

The resolution concerning aircraft and motor transport are preliminary efforts only; undoubtedly, in the course of the next few years, there will be proposals tending to incorporate these resolutions in a General Convention.

*(g) Peruvian Proposal for the amendment of Article 18 of the Covenant of the League of Nations.*

In April, 1930, M. Cornejo, Representative of Peru, suggested the addition of the following paragraph to Article 18 of the Covenant:—

"The Secretariat of the League of Nations may not register any treaty of peace imposed by force as a consequence of war undertaken in violation of the Pact of Paris. The League of Nations shall consider as null and void any stipulations which it may contain and shall render every assistance in restoring the *status quo* destroyed by force."

Lord Cecil recalled that the Committee of Jurists, of which he was a member, had made it quite clear that it would be an entire misconception of Article 18 to ask the Secretary-General to perform any such functions as were suggested in the Peruvian amendment. He thought that the Committee ought to say quite definitely that it accepted the views of the Committee of Jurists.

M. Benes (Czechoslovakia) agreed with Lord Cecil, and the Committee finally disposed of the matter by stating that, in view of the opinion of the Committee of Jurists, it was not necessary to examine the Peruvian proposal further.

## FOURTH COMMITTEE

### (Budget and Financial Questions)

*Organization of the Secretariat, of the International Labour Office, and of the Registry of the Permanent Court of International Justice*

A long discussion took place on the report of the "Committee of Thirteen" appointed last year to consider this matter. The Committee of Thirteen was not unanimous, and minority reports were submitted on two questions—that of the appointment of the principal officers of the Secretariat, and that of the duration of certain appointments.

The high officials of the Secretariat are now: the Secretary-General, who is of British nationality, the Deputy Secretary-General (French), and three Under-Secretaries-General (German, Italian and Japanese). The German and Italian members of the Committee of Thirteen considered that, under the present system too much power was concentrated in the hands of the two highest officials, and proposed the institution of a Committee of five Under-Secretaries-General to advise the Secretary-General on all political questions and questions of principle.



In opposition to this view, it was pointed out that, besides the obvious administrative disadvantages involved in such a division of responsibility, the system proposed would practically amount to reserving the highest posts in the Secretariat for nationals of States permanently represented on the Council. The proposal for an Advisory Committee was rejected by 30 votes to 5. The majority of the Committee of Thirteen proposed the creation of five new posts of Under-Secretary-General; and during the discussion in the Fourth Committee a further proposal was made for the abolition of the post of Under-Secretary-General. The Committee therefore recommended that a special Committee should be appointed to study the whole question and submit a report to be discussed at the next Assembly.

As regards the duration of appointments, the Committee of Thirteen agreed on the principle of permanency for posts below that of Member of Section, and considered that appointments to the highest posts should not be permanent. The majority of the Committee approved the principle of permanency for Chiefs of Section and Members of Section, but did not exclude the possibility of temporary appointments in certain circumstances. The minority recommended for these posts appointments of limited duration, with the possibility of renewal. The Fourth Committee decided that provision should be made in future for indeterminate contracts for Chiefs of Section and Members of Section, but that the Secretary General should have power to engage temporary officials. Such indeterminate contracts may be terminated not only when the official reaches the age-limit (normally 60) but also in the case of misconduct or inefficiency or as a result of reorganization of the service.

The dissatisfaction which has long been prevalent with regard to the method of appointment that has resulted in an overwhelming preponderance of French, English, German and Italian nationals on the staff of the Secretariat found definite expression this year in two proposals. One by the Delegation of the Irish Free State, providing that, as a general rule, there should not be more than one national of any State among the higher officials and the successor of any of these officials should not be a national of the same State, was referred to the special Committee. The other, put forward by the Cuban Delegation, to the effect that a State's contribution to the expenses of the League should be calculated on the basis of the number of its nationals employed by the League, was rejected by the Fourth Committee.

The Committee adopted a proposed new text for the Staff Regulations emphasizing the international status of the staff and their duties, and their independence of instructions from any authority external to the Secretariat.

It was decided that henceforth every official above a certain rank, other than the Secretary-General, should be required, before entering upon his duties, to give a solemn written undertaking to exercise the functions entrusted to him "in all loyalty, discretion and conscience". The Secretary-General should make a similar declaration before the Council.

It was agreed that the existing prohibition of the acceptance of honours or decorations from Governments except for services rendered before appointment should be maintained, and that the Staff Regulations should forbid officials, while holding office, to become candidates for political offices in their own countries.

The Committee approved the conclusions of the Committee of Thirteen relating to the recruiting of the staff of the First Division (chiefs of section, members of section, and interpreters, translators and *précis*-writers). These included recommendations that recruitment should as a rule be by competitive examination or selection, preference being given (provided their qualifications are equal) to candidates already on the staff, and attention being paid to the fair representation of the various nationalities; the provision of the Covenant that both sexes have equal rights should be strictly observed; the minimum age for appointment should be 23 and the maximum 35, subject to exceptions in special cases.

As regard salaries and promotion in this Division, the Committee endorsed the opinion that salaries should be not less than those of the best paid officials in the national civil services, plus an expatriation bonus, and that, while regard must be paid to nationality in engaging staff, less importance should be attached to this consideration in making promotions.

The Committee agreed on the principle of the introduction of a pensions system, on a contributory basis, applicable to all, local and international officials of the three institutions, both present and future. By a majority vote, it was decided that the maximum old-age pension should be 50 per cent of the official's average salary during the last three years of his service, subject to a maximum of 25,000 francs. The maximum old-age pension should be obtainable by officials who had attained the age of 60 and had served for 25 years; in case of retirement before that age or after a shorter period of service, the pension would be reduced or commuted according to a prescribed scale.

Recommendations were also adopted relating to invalidity and survivors' pensions.

It was decided that the Regulations should enter into force as from the date of their adoption by the Assembly.

At the request of the Fourth Committee, the Supervisory Commission examined the financial consequences of the proposals of the Committee of Thirteen as modified. It estimated the cost for 1931 at 1,295,002 francs, of which 1,000,773 represented the amount necessary for the Pensions Fund. The Fourth Committee accordingly included this sum in the budget of the three institutions.

The Fourth Committee's report and resolution were adopted by the Assembly.

#### *Rotation in Membership of the Supervisory Commission*

The question was raised in 1929 whether it was not desirable that the representatives of a larger number of States should take part in the work of the Supervisory Commission. This year the Swiss Government submitted to the Assembly a proposal with this end in view, suggesting that a period of three years should elapse before retiring members became re-eligible.

During the discussion of this proposal it appeared that other delegates attached importance to the experience which members of the Supervisory Commission might acquire by prolonged and continuous service.

The Fourth Committee accordingly arrived at the following solution: on the expiry of their term of office, members of the Supervisory Commission can be re-elected only for a further period of three years; at the end of this second period they are not re-eligible until the expiry of a period of three years.

The Assembly endorsed this proposal.

#### *The Budget for 1931*

The Fourth Committee approved the audited accounts of the League for 1929. It passed the budget for 1931, which amounts to a total of 31,637,501 gold francs (as against 28,210,248 gold francs in 1930), sub-divided as follows:—

	<i>Gold francs</i>
Secretariat and special organizations. . . . .	17,091,586
International Labour Organizations. . . . .	8,661,652
Permanent Court of International Justice. . . . .	2,712,668
Buildings at Geneva. . . . .	2,170,822
Pensions. . . . .	1,000,773

The total number of units in the scale of allocations for 1931 amounts to 986 and the value of each unit is therefore 32,086.71 gold francs. Canada being

assessed at the rate of 35 units becomes liable for a contribution of 1,123,035·02 francs. It was decided, however, in accordance with the practice of the past few years, to refund to States Members a part of the surplus for the financial year 1929, and also to make repayments from the Building Fund to those States which, by the prompt payment of their share of the expenditure of the League up to the end of 1925, had contributed to the formation of the capital set apart for the construction of the new buildings. In consequence of these decisions, sums of 28,249·23 and 31,917·80 gold francs respectively will be deducted from the above amount, and the net contribution of Canada for 1931 will therefore be 1,062,867·99 gold francs or approximately \$205,000.

During the examination of the budget, certain delegates pointed out that the 1931 budget showed an increase of 6 per cent on the budget of 1930 and that, if all the proposals of the Committee of Thirteen had been adopted, the increase would have amounted to more than 13 per cent. They stated that, in view of the general crisis, they could only vote for increased credits for really indispensable objects.

The Director of the International Labour Office acquainted the Fourth Committee, for the information of the Assembly, with the reasons which in the opinion of a majority of the Governing Body made it necessary shortly to enlarge the present office accommodation.

The Fourth Committee was interested to learn from the Secretary-General that the work of construction on the League Buildings had already begun, that the first main tenders would probably be allotted during November and that the work would then be continued without interruption. It fixed at 23,633,150 francs the credit for the construction of the Assembly hall and building of the Secretariat.

The Fourth Committee recommended that the International Organization for Refugees should draw up and submit to the Twelfth Assembly a systematic plan for the winding-up of the Refugee Organization at date not later than December 31, 1939.

The Assembly adopted the report of the Fourth Committee on the budget, which was submitted by the Honourable Philippe Roy.

## FIFTH COMMITTEE

(Social and Humanitarian Questions)

### *Penal Administration*

The Council requested the Assembly to consider this question and decide how the League could co-operate with the International Prison Commission (Berne) and other interested organizations in the study of modern standards of penal administration.

The Fifth Committee had before it a set of standard rules prepared by the International Prison Commission to indicate the minimum conditions that should be observed in the treatment of prisoners. In view of the fact that certain international organizations and certain Advisory Committees of the League, as well as the International Labour Office, are also being consulted, the Fifth Committee did not discuss the substance of the question, but recommended that the standard rules should be submitted to all Governments for their observations.

The question will be further considered at the next Assembly, in the light of the observations made by the Governments and the organizations consulted.

### *Child Welfare.*

Most of the speakers on this question referred to the work done by the Legal Sub-Committee of the Child Welfare Committee in preparing preliminary draft conventions on assistance to foreign minors and the return to their homes



of minors who are in a foreign country against the will of their parents or guardians. These draft texts are intended to serve as a basis for the conclusion of agreements between interested Governments, and the Child Welfare Committee is continuing its study of the drafts in the light of the observations made by Governments. It will inform the Council of the difficulties arising in connection with the maintenance and protection of foreign children and their relation to the general problem of assistance for indigent foreigners, so that these matters may receive consideration if in the future the general problem is dealt with by an international conference.

The Fifth Committee also noted the progress made by the Child Welfare Committee in the study of other questions, such as the recognition and enforcement of maintenance orders abroad, the protection of the illegitimate child, the protection and education of the blind child, and the auxiliary services of Juvenile Courts.

### *Traffic in Women and Children*

As in previous years, the Advisory Committee's recommendations on the subject of licensed houses were discussed at some length by the Fifth Committee; the principal points touched on were (1) the progress of abolition in different countries and (2) its results.

The Roumanian Delegate gave an account of recent legislation prohibiting licensed houses and imposing heavy punishment on *souteneurs* and procurers. The Chinese delegate explained that the system of licensed houses had been abolished in the larger towns of China. The Delegates of France, Germany and Chile gave generally favourable accounts of the progress made in their countries, but stated that the work was still in the experimental stage. The Danish Delegate said that, after nearly 30 years' experience of abolition, no responsible authority in Denmark would be prepared to return to the former conditions. The majority of the Committee joined in congratulating the countries where progress had been made in this connection during recent years.

In view of the fears expressed in certain quarters that public health and order would suffer from the abolition of licensed houses, a study has been made of the preventive measures taken in abolitionist countries. The Traffic in Women and Children Committee considers that these fears have now been proved to be unfounded and that the danger of international traffic has been diminished by the closing of licensed houses. Several speakers emphasized these points.

Interest was also expressed in the studies being undertaken by the Traffic in Women and Children Committee of other means of dealing with the traffic in women, such as the employment of women police and the more effective punishment of *souteneurs*.

The Fifth Committee as a whole, and particularly the Delegates of China, Japan, India, Persia and Siam, welcomed the decision to extend to Eastern countries the enquiry into the international traffic in women (see Report of Canadian Delegates to 10th Assembly, P. 40).

### *Traffic in Opium*

The greater part of the discussion of the League's work in connection with the traffic in opium and other dangerous drugs was devoted to a consideration of two methods for dealing with this problem: a wider and stricter application of the Hague and Geneva Conventions, and the limitation of manufacture by international agreement.

The Committee noted the increase in the number of parties to the 1925 Convention; on the 30th August, there were 38 ratifications, and another 10 may be added to these in the near future, as a result of action now being taken in various countries. Regret was expressed, however, that the majority of the Latin-American countries have not yet ratified the Convention.

Many delegates enumerated and explained the legislative measures taken in their countries to control the legitimate trade in narcotics and to suppress the illicit traffic. Some of these were: application of the system of import and export certificates, withdrawal of the licences of manufacturers found to be implicated in illicit transactions, co-operation between Governments in tracing the sources of the traffic and bringing the traffickers to justice and heavier penalties for infractions of the drug laws. The Committee made an appeal to Governments that have not yet fully applied the various measures recommended by the Advisory Committee and approved by the Council and the Assembly. It expressed the hope that they would do so as soon as possible and emphasized the necessity for co-operation between the League and the various Governments.

The Canadian Delegate (the Honourable Irene Parlby) gave an account of some of the methods employed in Canada to deal with the problem of narcotics, such as close supervision of the transactions of wholesale and retail druggists, heavy penalties for traffickers (often long terms of imprisonment), and increased co-operation with the United States authorities under the extradition treaty of 1925. In fact, most of the measures suggested by the Advisory Committee had been in force for years in Canada. The Canadian Delegate expressed the hope that States which had not yet ratified the Opium Convention would before long see their way to co-operating with the other countries in their efforts to suppress the drug traffic. Canada was not a manufacturing country and there was complete control of all drugs entering the country legally; nevertheless Canada suffered severely from the illicit traffic. In a country of such great size, it was impossible to prevent smuggling altogether, as long as the supply of narcotics was so much greater than the world's legitimate needs, and the convocation of a Conference on the limitation of manufacture was therefore most welcome to Canada. It appeared possible, however, that limitation of manufacture alone would prove insufficient to wipe out the illicit traffic and that the ultimate solution would be found in a system of State monopolies of production as well as manufacture.

The Fifth Committee learnt with satisfaction that the Conference on the Limitation of the Manufacture of Narcotic Drugs would meet on 27th May, 1931, and that the Advisory Committee had prepared a plan of limitation to serve as a basis for the discussions of the Conference.

## SIXTH COMMITTEE

### (Political Questions)

#### *Protection of Minorities*

The question of minorities was discussed at greater length than usual during the Eleventh Assembly. While no definite decisions were taken, the exchange of views should prove most valuable to the League in dealing with this complex and delicate problem.

Marked differences of opinion were found to exist regarding the competence of the Assembly to deal with this question and the procedure of the Council in dealing with minority petitions as laid down by the Council at Madrid in June, 1929, on the initiative of the Canadian Representative. Some delegates maintained that the Assembly was competent to pronounce upon the application of the so-called minority treaties because it was the supreme organ of the League under the guardianship of which the minorities were placed, while others held that the minority treaties had entrusted the question exclusively to the Council. All were agreed, however, that the question could be discussed by the Assembly under Article 3, paragraph 3, of the Covenant, which lays down that "the Assembly may deal at its meetings with any matter within the sphere of action of the League or affecting the peace of the world."

No one suggested that the Madrid procedure, which was an improvement on the former procedure, should be altered for the time being. It was generally recognized that the period that has elapsed since its adoption was not long enough to allow of a final judgment based on experience. But opinions differed as to whether the Council has authority to alter that procedure without the consent of all the States which are bound by the minority treaties.

Hopes were expressed that care will at least be taken to use to the full all the possibilities inherent in the Madrid resolutions, more especially as regards the composition of the Committees of Three or Five, the frequency of their meetings, the publicity of the proceedings, and the report to be made to the Council, which must be such as to enable its members to gain an accurate idea of the cases with which they have to deal.

Suggestions were made that the Secretary-General should lay before the Assembly in the Annual Report a survey, as detailed as possible, of the League's work in connection with minorities.

The German delegate expressed the hope that the conditions laid down for the receivability of petitions addressed to the League may be interpreted as liberally as possible, and the Delegate of Hungary stressed the necessity of affording complainants an opportunity of submitting their observations at all stages in the procedure.

The question of setting up a Permanent Minorities Commission was again raised but did not receive very strong support, the States parties to minority treaties insisting, as a condition of the setting up of such a Commission, that all States should be brought within its competence.

Certain general ideas were brought out in the course of this debate. The first of these is that minority questions must in no case be used to undermine the unity and integrity of States. The second is that minority questions are intimately bound up with peace, and must consequently be the object of vigilant and indefatigable attention on the part of the League. The third is that violence, whether on the part of the minorities or of the countries to which they belong, should not be used.

All the speakers, even though upholding different views, expressed the opinion that the solution of the minorities problem was to be found in constant co-operation and the establishment of mutual confidence between the majorities and minorities in each country.

The use of force to bring about the assimilation of minorities was universally condemned. It was generally agreed that minorities should have the right to use their own language. Several speakers referred to the practice in Canada and Switzerland in this regard. Sir Robert Borden stated that the best course is to afford to minorities every constitutional and reasonable right and at the same time to impress upon them their duty to co-operate. Senator Chapais later referred to the same subject in the Assembly, showing how the minority problem had been dealt with and had been solved in Canada.

### *Mandates*

The work of the Mandates Commission was also considered by the Sixth Committee, which noted that the Mandatory Powers had recognized that the success of their work had been materially facilitated by the organs of the League.

The Sixth Committee expressed its gratification at the improvement of the situation in Palestine, at the efforts made by the Mandatory to restore an atmosphere of tranquillity and the steps taken to prevent the recurrence of such tragic incidents as the Assembly had had to deplore last year. It noted the renewed undertaking given by the British Government to afford the Mandates Commission an opportunity of making observations on whatever might



be decided in regard to the scheme for closer co-operation between Tanganyika, Kenya, and Uganda before such decision became operative.

Certain members of the Committee considered that the work of the Mandates Commission should prove useful to colonial administrations in dealing with non-mandated territories.

The general impression received from the Sixth Committee's survey of the working of the mandates system was favourable and reassuring.

### *Slavery*

Reports relating to the progress of ratifications of the Slavery Convention of 1926, and the measures taken to secure the progressive abolition of slavery and conditions analogous thereto, were submitted to the Sixth Committee.

From these reports it appeared that since the previous Assembly four States have ratified or acceded to the Convention, bringing the total number of ratifications or accessions to 34, while seven more are expected shortly.

The British Government submitted, in a new form, the proposal which it made last year, and on which the Assembly then postponed any decision, for the creation of a new temporary Commission on Slavery. It now suggested the setting up of a permanent Commission and an International Slavery Office.

It was explained by the British delegate that the duties of the proposed permanent Commission would not involve any supervision over the territories of any State, but would be to assist in the examination of communications received on the subject of slavery, and to make reports on them to the Council of the League, and to take any other action under the instructions of the Council. The International Slavery Office, which would be under the control of the Commission, would be concerned with the collection, on a confidential footing of information with regard to slavery.

In support of this proposal it was contended that the Secretariat was not equipped for the sort of inquiry in question or for dealing with the large and complicated mass of information involved. The sole object was to secure that the terms of the Slavery Convention should be carried out as completely as possible.

On the other hand, several delegates argued that the proposal would inevitably involve a form of supervision over the territories of certain States, and thus infringe national sovereignty. Attention was also called to the cost which would be entailed, and to the undesirability of adding new and not wholly indispensable organs to the already complicated structure of the League.

In view of the strong opposition to the British resolution, the Committee adopted by 11 votes to 6 a resolution submitted by the Portuguese delegation; this resolution recognized that the information furnished by Governments had not so far been complete, but postponed until next year the consideration of any change in the procedure now in force, and in the meantime invited Governments to supply "all such particulars as may assist the Assembly to form an idea not only of the conditions that prevail in their own territories but of the present general position in regard to slavery."

The Assembly endorsed this resolution. Lord Cecil, in announcing that the British delegation would abstain from voting on a proposal which merely meant further postponement of decisive action, expressed his opinion that there were still at least 5,000,000 slaves in the world.

### *Refugees*

The Chairman paid a tribute to the memory of Dr. Nansen, who died in May, 1930. The Sixth Committee also proposed to the Assembly the adoption of a resolution expressing its gratitude for Dr. Nansen's work on behalf of the refugees.

The Sixth Committee accepted the view of the Advisory Commission that a division should be made in the work for refugees. The Secretariat of the League will deal with questions relating to the political and legal status of the refugees under the various arrangements on these questions concluded between the Governments concerned. During the period\* in which the Refugees Organization is being wound up, the work of relief (advancing of money, finding of employment, etc.) carried on by the High Commissariat will be entrusted to an International Refugees Office placed under the direction of the League of Nations in accordance with Article 24 of the Covenant. M. Max Huber, President of the International Red Cross Committee and former President of the Permanent Court of International Justice, will be Chairman of the Governing Body of the International Refugees Office.

ROBERT LAIRD BORDEN,

THOMAS CHAPAIS,

MARY IRENE PARLBY,

PHILIPPE ROY,

W. A. RIDDELL,

G. P. VANIER.

---

\* The Tenth Assembly decided that the Refugees Organisation should be wound up within a maximum period of ten years.













1 EA  
R21

Canada League of Nations Delegation to the

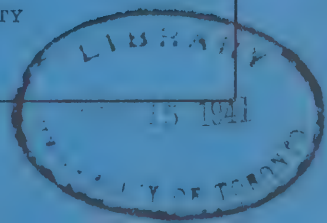
REPORT  
OF THE  
CANADIAN DELEGATES  
TO THE  
TWELFTH ASSEMBLY OF THE  
LEAGUE OF NATIONS

GENEVA, SEPTEMBER 7-29, 1931



OTTAWA  
F. A. ACLAND  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1932

Price, 25 cents.





sv. loc.  
Can  
L

CA 12A  
R21

REPORT  
OF THE  
CANADIAN DELEGATES  
TO THE  
TWELFTH ASSEMBLY OF THE  
LEAGUE OF NATIONS

---

GENEVA, SEPTEMBER 7-29, 1931



OTTAWA  
F. A. ACLAND  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1932



# TABLE OF CONTENTS

	PAGE
ORGANIZATION OF THE ASSEMBLY.....	3
PLENARY MEETINGS OF THE ASSEMBLY.....	4
Entry of Mexico into the League.....	6
Elections to the Council.....	6
Presentation of Portrait of Senator Dandurand.....	6
FIRST COMMITTEE.....	6
Amendment of the Covenant.....	6
System of Elections to the Council.....	9
Jurisdiction of Permanent Court.....	9
Revision of the Statute of the Permanent Court.....	9
General Conventions.....	10
Progressive Codification of International Law.....	10
Nationality of Women.....	10
SECOND COMMITTEE.....	11
Economic Problems.....	11
Financial Problems.....	13
Communications and Transit.....	15
Health.....	16
THIRD COMMITTEE.....	17
Armaments Truce.....	17
Improvement of Means of Preventing War.....	18
Co-operation of Women and of the Press in the Organization of Peace.....	21
Communications of Importance to the League of Nations in times of Emergency....	21
FOURTH COMMITTEE.....	22
The Budget for 1932.....	22
Construction of the New Buildings.....	23
Allocation of Expenses.....	23
Re-organization of the Secretariat.....	23
FIFTH COMMITTEE.....	24
Penal Administration.....	24
Child Welfare.....	24
Traffic in Women and Children.....	25
Traffic in Opium.....	26
SIXTH COMMITTEE.....	26
The Commission of Enquiry for European Union.....	26
Pact of Economic non-Aggression.....	27
The Protection of Minorities.....	27
Mandates.....	28
Refugees.....	29
Slavery.....	29
Intellectual Co-operation.....	29

# Report of the Canadian Delegates to the Twelfth Assembly of the League of Nations, Geneva

---

The Right Honourable R. B. BENNETT, K.C., M.P.,  
Secretary of State for External Affairs,  
Ottawa.

SIR,—We have the honour to submit the following report on the proceedings of the Twelfth Ordinary Session of the Assembly of the League of Nations which was held in Geneva from the 7th to the 29th September, 1931.

## ORGANIZATION OF THE ASSEMBLY

Fifty-two of the fifty-four States Members of the League were represented at the Assembly. This number was later increased by the admission of Mexico to membership in the League, and by the participation in the work of the Committee considering proposals for an armaments truce of five non-Member States: Brazil, Costa Rica, Egypt, Turkey and the United States of America.

The Canadian delegation consisted of the Honourable Hugh Guthrie, Minister of Justice and Attorney-General; the Honourable C. P. Beaubien, Senator, and Mrs. Henry Pemberton Plumptre, Member of the Board of Education, Toronto, with the following as alternate delegates: the Honourable Philippe Roy, Minister for Canada in France; the Honourable Martin Burrell, Parliamentary Librarian, and Dr. W. A. Riddell, Dominion of Canada Advisory Officer accredited to the League of Nations.

After the President of the Council, M. Lerroux (Spain), had opened the proceedings with a brief review of the work of the League during the past year, the Assembly proceeded to the election of its President. M. Titulesco (Roumania), who had presided acceptably over the Eleventh Assembly, was re-elected President with twenty-five votes; twenty-one votes were cast for Count Apponyi (Hungary).

The election of the six Vice-Presidents and the Chairman of the six Committees, who together constituted the General Committee of the Assembly, resulted as follows:—

### *Vice-Presidents*

M. Briand (France),	M. Yoshizawa (Japan),
Viscount Cecil of Chelwood (British Empire),	Dr. Curtius (Germany),
	Count Apponyi (Hungary),
	M. Restrepo (Colombia).

### *Chairmen of the Committees*

First Committee (Legal and Constitutional Questions): M. Scialoja (Italy).  
Second Committee (Technical Organizations): M. Janson (Belgium).  
Third Committee (Reduction of Armaments): M. Munch (Denmark).  
Fourth Committee (Budget and Financial Questions): M. Politis (Greece).  
Fifth Committee (Social and Humanitarian Questions): Khan Alâ (Persia).  
Sixth Committee (Political Questions): M. Motta (Switzerland).

The Canadian Delegation was represented on the six Committees as follows:—

First Committee:

Hon. Hugh Guthrie,  
Hon. Philippe Roy.

Second Committee:

Dr. W. A. Riddell,  
Mrs. H. P. Plumptre.

Third Committee:

Hon. Hugh Guthrie,  
Hon. C. P. Beaubien.

Fourth Committee:

Hon. Philippe Roy,  
Hon. Martin Burrell.

Fifth Committee:

Mrs. H. P. Plumptre,  
Dr. W. A. Riddell.

Sixth Committee:

Hon. C. P. Beaubien,  
Hon. Martin Burrell.

On the proposal of the President, the Honourable C. P. Beaubien was appointed by the Assembly as a member of the Agenda Committee.

#### PLENARY MEETINGS OF THE ASSEMBLY

The situation in which the Assembly met was entirely dominated by two events, the economic crisis and the forthcoming Disarmament Conference. Aspects of international co-operation unrelated to these urgent questions, if not ignored, were for the moment unregarded. This concentration on the vital and immediate problems of international politics characterized the general discussion, in plenary session, of the League's activities in the twelve months which had elapsed since the Eleventh Assembly. A brief review of the statements of policy made by the spokesmen of the principal Powers may usefully introduce the more detailed record of the proceedings of the several committees which will be found in subsequent chapters of this report.

Signor Grandi (Italy), in opening the general debate, took advantage of the occasion to explain fully Italian policy in regard to the principal enterprises in which the League was concerned. He felt that the proposals to amend the Covenant of the League, in order to bring it into harmony with the Pact of Paris, were put forward prematurely and were perhaps ill advised. In counselling caution, he argued with force that nations should scrupulously fulfil existing obligations under the Covenant before contemplating an extension of obligations which might be reluctantly accepted and imperfectly honoured. In particular, the provisions of Article VIII (the Disarmament Article) had not yet been carried out and Italy hoped that the forthcoming Conference would see the realization of the undertakings given by the Members of the League twelve years before. He believed that peace could rest only on national security and that security could result only from the harmonious development of two factors: the peaceful settlement of disputes and the general reduction of armaments. Signor Grandi then put forward, tentatively, a proposal that, taken up and developed in the Third Committee of the Assembly, emerged as the "Armaments Truce" to which all States participating in the Disarmament Conference have since subscribed.

"My idea is," he said, "that we should here and now conclude a genuine and effective armaments truce to last, at least, as long as the Conference itself is in progress. A general and immediate agreement between all States with a view to the postponement of the execution of programs for new armaments would not only give our people an immediate proof of goodwill but would invest the Conference with a calmer and more confident psychological and political atmosphere, which would do more than any declaration of principles to promote the successful progress of its work."

Lord Cecil, who spoke on the following day, welcomed the Italian proposal warmly and commended it to the consideration of the Assembly with a view to its translation into a formal and binding obligation upon the States



taking part in the Disarmament Conference. Naturally, Lord Cecil's speech dealt largely with the preparations for the Disarmament Conference and the necessity that it should arrive at unmistakable success. But another question of equal urgency was emphasized by the spokesman for the United Kingdom. The economic crisis was already international in its effects and in its causes. The strangulation of trade, the suspension of capital movements, the hoarding of money metals all reflected a general mistrust; the depression, in its current phase, was largely a "crise de confiance" and the restoration of confidence was a problem of politics as well as economics. He thought that every possible measure should be taken to counteract the atmosphere of international mistrust and suspicion in which the world laboured, and appealed to the representatives of France and Germany, in particular, to compose the differences that still separated them.

M. Briand responded to Lord Cecil's appeal for increasing co-operation between France and Germany, but did not take up M. Grandi's friendly challenge to suspend the construction of additional armaments. He referred to the interchange of visits between M. Laval and himself and Dr. Bruening and Dr. Curtius and was hopeful of results from the projected economic rapprochement with Germany. He then proceeded to restate the familiar French thesis regarding the relation which should exist between security and disarmament and reviewed the steps that France had taken in recent years to reduce her armed strength by reductions in the term of service, and stressed the extended acceptance of peaceful procedure involved in accession to the General Act and acceptance of the Optional Clause of the Statute of the Permanent Court.

Dr. Curtius (Germany) defined once more the German position on the question of disarmament; he confirmed the objections to the draft disarmament convention which had been voiced by German representatives on the Preparatory Commission and announced that Germany would ask the Disarmament Conference to establish formal equality of treatment, for all States, in the method of the limitation of armaments. He said that Germany had looked forward for years to the convocation of the Conference and expressed the belief that the fate of the Conference would determine the fate of the League itself.

The balance of Dr. Curtius' speech was devoted to the economic situation. He concurred in Lord Cecil's analysis of its causes and prescription for its remedy but developed, in some detail, the connection between the burden of debt and reparations and the prevailing business depression. He thought that closer economic co-operation between European States was a condition of any permanent recovery of prosperity and defended the proposed preferential regime for European cereals as a transitional measure which would afford relief to some of the more distressed agricultural countries. He reciprocated M. Briand's expression of friendship and believed Franco-German economic rapprochement would facilitate the settlement of the political problems that still awaited solution.

Mr. Guthrie expressed the conviction of the Canadian Government that the arrangements already in force for the pacific settlement of international disputes, coupled with the guarantees of national security embodied in the Covenant, the Pact of Paris and such regional accords as Locarno, permitted the attainment of general disarmament upon a very extensive scale. He reviewed the progress in recent years of efforts to outlaw war and ensure the peaceful settlement of international disputes, and endorsed the proposed amendments of the Covenant which would completely eliminate the right to resort to war. Referring to the various proposals that had been put forward for the establishment in European grain importing countries of a preferential regime for Danubian cereals, Mr. Guthrie reserved Canada's right (subsequently exercised in the Second Committee) to examine freely the projects which had been considered by the Commission of Enquiry for European Union.

M. Madariaga (Spain) formerly Chief of the Disarmament Section of the League Secretariat, advocated a stricter observance by Members of the League of the obligations accepted by them in the Covenant, some of which certain Members of the League have shown a tendency to explain away. He hoped the Disarmament Conference would realize a drastic measure of disarmament including the direct limitation of military material and the internationalization of civil aircraft. M. Madariaga observed that "if each State Member of the League had sent to Geneva a sum equal to five per cent of its naval and military expenditure in the year 1930, and if that sum had been invested by the League Treasury at five per cent interest, the income accruing would have maintained the League for ever on its present scale of expenditure."

#### *Entry of Mexico into the League*

A resolution, adopted by the Assembly on the 8th September, 1931, invited Mexico to accede to the Covenant; this resolution was communicated to the Government of Mexico from whom a reply accepting the invitation was received on the 10th September and on the 12th September Mexico formally entered the League of Nations.

This departure from the normal procedure established by Article I of the Covenant governing the entry of States into the League, is, it was carefully explained, not to be construed as a precedent but as simple reparation for the omission of Mexico from the list of States named in the annex to the Covenant.

#### *Elections to the Council*

The three non-permanent seats on the Council, vacated by the retirement of Persia, Venezuela and Spain, were filled on the 14th September, 1931, by the election of China and Panama and the re-election of Spain for three years ending in 1934.

#### *Presentation of Portrait of Senator Dandurand*

A portrait in oils of Senator Dandurand, President of the Sixth Assembly, was formally presented to the League of Nations by Mr. Guthrie in the course of his address to the Assembly. The painting by Jules Baschet, who was commissioned by the friends of the Senator, was exhibited in the Library of the Secretariat during the meetings of the Assembly. In accepting it on behalf of the League, M. Titulesco expressed the hope that it would initiate the establishment of a portrait gallery of past presidents of the Assembly.

#### FIRST COMMITTEE

##### (Legal and Constitutional Questions)

##### *Amendment of the Covenant*

The First Committee considered the question of inserting in the Covenant of the League of Nations the general prohibition of recourse to war embodied in the Pact of Paris.

During the previous discussions the fear had been occasionally expressed that certain difficulties might result from the fact that some members of the League had not acceded to the Paris Pact, and that some signatories of that Treaty were not Members of the League. The First Committee expressed the view that, at the present time, there need be no further apprehensions on either point. On the one hand, some Members of the League which had not acceded to the Paris Pact had acceded or announced their intention of acceding since last year. On the other hand, as regards States signatories of the Paris Pact which were not Members of the League, obviously no decision could be taken in their absence as to the scope they should give to their obligations, but the task undertaken by the League had the same end in view as the Paris Pact, and reinforced the authority of the principle formulated therein.



If most of the delegates were in favour of bringing the Covenant into harmony with the Pact of Paris, they were not agreed as to the best means of achieving that object. Mr. Guthrie confirmed the Canadian Government's approval of the amendments drafted by the sub-Committee of the First Committee of the last Assembly and expressed its desire that the Covenant be brought into harmony with the Pact of Paris at the earliest opportunity. Divergencies of opinion, however, were expressed on several points, in particular on the right of self-defence, the organization of pacific methods of settling disputes and the extension of sanctions. Although these divergencies were considerably reduced, they were not absolutely cleared up. The Committee therefore suggested to the Assembly that the question of framing a final text should be postponed, the work being referred to a temporary Committee which would meet during the Disarmament Conference. This proposal was adopted.

In its report prepared by M. Rolin (Belgium) the First Committee noted that no objection of principle was now made against the idea of formulating in a single Article of the Covenant (Article 12) and in the simplest terms, without any attempt at interpretation or restriction, the prohibition of recourse to war.

In the opinion of the Committee, this prohibition did not in any way exclude the right of self-defence. Legitimate defence was a general principle of law, the *non adempti contractus* clause. A State which had disregarded the clause forbidding war could not demand that a State attacked by it should observe that clause. This was provided for in the Covenant though not expressly so. The concept of self-defence defied definition in advance in abstract terms. The use which a State claimed to make of the right of self-defence could, however, be discussed by the other States concerned and, in the case of Members of the League, would be subject to the decision of the Council. In judging the facts before it, the Council would have to be guided not only by the general principles of law, but also by any special engagements for preventing war undertaken by the parties to the dispute.

A second point to be determined was whether provision was to be made in order to except from the prohibition to resort to war the legitimate assistance given spontaneously by a Member of the League to another Member, which has been the victim of a flagrant aggression. The Committee agreed that no such exception should be specified expressly. Here again it was not so much a question of an exception as the simple application of the principle of law. The State which violated its undertakings was not entitled to demand the execution of those undertakings by the other parties to the Covenant. Interventions of this kind would, however, in their turn be subject to the appreciation of their character by other Members of the League and by the Council, and to the opinion of the latter the State which had intervened would be obliged to conform.

On the other hand, it was admitted that the proposed amendment of the Covenant would deprive the Members of the League of the right to resort to war in execution of an arbitral award or a unanimous decision of the Council. As a counterpart, the task which devolves upon the Council of considering the measures necessary to ensure execution will become particularly imperative. The Council might have, in the last resort, to authorize military measures. These measures, if prescribed, would lose their character of recourse to war and assume a character of social defence.

The Committee noted the desire of the Chinese and Finnish Governments to meet the dangers resulting from a country creating what is in effect a state of war, while not officially recognizing that war exists. The Committee did not feel able for the moment to enter upon a discussion of this question.

Logic compelled many delegates to say that from the moment when the prohibition of resort to war was absolute, resort to arbitration or judicial settlement must be equally so. As things stand, the Covenant allows States the choice



between arbitration or judicial settlement, on the one hand, and recourse to the Council on the other. Arbitration or judicial settlement implies findings which are binding upon the parties and to which effect must be given. Recourse to the Council, even when the Council is unanimous, produces only a limited effect. In the Covenant as it stands, war is prohibited against a State which complies with the unanimous recommendations of the Council, but the Covenant does not provide for any obligation to carry out these recommendations and the Council has no means of guaranteeing such execution.

To place the problem of the pacific settlement of disputes on a plane with the principle of prohibiting recourse to war, two methods seemed feasible. The first and simpler was to extend arbitration or judicial settlement by means of contractual undertakings. In this direction considerable progress has been made through the acceptance of the Optional Clause of the Statute of the Permanent Court and the General Act of 1928. The Committee, nevertheless, considered that it would be premature to seek at present to embody in the Covenant the rigid obligation to resort to arbitration or judicial settlement for all disputes.

The second solution contemplated was at least to provide in the Covenant that Members of the League must carry out in good faith the unanimous recommendations of the Council, and to entrust to the latter the duty of proposing suitable measures to ensure that such recommendations were carried into effect. The discussions indicated that an amendment of this character would not command the necessary ratifications. A number of States in favour of compulsory arbitration were not prepared to grant to the Council arbitral or judicial powers or to give its decisions executory and compulsory force, even with the guarantee that the Council could, by a majority vote, apply for an advisory opinion to the Permanent Court of International Justice.

As regards the hypothesis of the Council being divided, the Finnish delegation proposed that, in such a case, the Council should by a majority vote suggest the best procedure to be followed in the circumstances and should recommend it to the parties. The Committee decided that this proposal might usefully be accepted as a basis for subsequent discussion. If a prohibition of recourse to war is embodied in the Covenant, the number of cases liable to sanctions (Article 16) will be increased. The question arose—and in this regard it seemed impossible to reconcile the points of view—whether the obligations under Article 16 could not be restricted to cases where the Council had been unanimous, to the exclusion of those cases in which it was divided either on the question as to who was the aggressor or as to the provisional measures which should be recommended to the parties.

Those in favour of a distinction of this kind argued that the function of the League was not to be a repressive judge. Its function was to bring about peace. The opinion prevailed, however, that any distinction ought to be rejected. The Covenant enjoined upon the Council to concern itself with any war or threat of war; if, in certain cases, Members of the League were at liberty to stand aloof, the Council would find itself without any means of action. To say that Members, after taking note of the violation of the undertaking, could wash their hands of the whole matter would be to undermine the force of the prohibition of recourse to war. It would diminish the guarantees the Covenant affords. The obligations under Article 16 were not subject to the condition that the Council must have taken a decision as to who was the aggressor. Similarly, it seemed absurd to claim that Members of the League which considered that common action was possible should abstain from carrying out the obligations under Article 16 for the sole reason that unanimity had not been obtained in the Council. Such a condition was too rigid. There might be on the Council, besides the aggressor State, another State secretly allied with it or not sufficiently alive

to its obligations as a Member of the League. In theory, there might perhaps be an extension of intervention; in practice the likelihood of intervention would be reduced. The Council had means for achieving unanimity by adopting provisional measures and avoiding in public defections which, obviously, were more likely to occur at secret meetings. In the hypothetical case of the League failing in its mission so completely that no common action was possible, the whole social edifice would naturally collapse and individual undertakings would undergo the same fate. Just as no constitution provided for revolution, so the Covenant could not be expected to provide for the contingency of defections outweighing allegiance.

The resolution adopted by the Assembly on this question reaffirmed the intention of inserting in the Covenant a general prohibition of recourse to war thus endorsing the resolutions approved by the 10th and 11th Assemblies.

### *System of Election to the Council*

At the suggestion of the British delegation the Council was invited to appoint a Committee to inquire into the method of electing non-permanent Members to the Council. It was generally recognized that the existing allocation of non-permanent seats among more or less organized groups of powers had produced an unsatisfactory situation in which certain States were, for all practical purposes, excluded from election to the Council.

### *Jurisdiction of Permanent Court as Tribunal of Appeal*

All the delegates who took part in the discussion approved in principle the Finnish proposal to confer on the Permanent Court of International Justice jurisdiction as a court of appeal in respect of alleged excess of jurisdiction by arbitral tribunals established by States. The Finnish Government had specified two possible grounds of appeal—when the tribunal had been incompetent to deal with the matter and when the tribunal had exceeded its powers. The Committee of Five Jurists which had examined the original proposal at the request of the Council had added a third ground—an essential flaw in procedure. Several delegations expressed their readiness in the First Committee to admit a fourth reason—a false application of the law. A great number, however, were against enumerating the causes which may render an award invalid. They thought it prudent to leave determination of the causes to be effected by successive judicial decisions. In so doing, of course, they exposed themselves to the criticism that the door would be left open to an indeterminate number of causes of invalidity.

The whole matter was referred to a Sub-Committee, which prepared a draft recommendation and a draft Protocol. These new texts formed the subject of an important discussion in the full Committee. The discussion showed that there was still uncertainty on many points, and it was therefore decided to adjourn the question for examination to a later assembly.

### *Revision of the Statute of the Permanent Court*

Although the Protocol of September 14, 1929, concerning the Revision of the Statute of the Permanent Court, did not enter into force on the date originally contemplated, the Assembly last year accepted the view that it could subsequently come into force if the necessary ratifications were received.

At the time of the Twelfth Assembly thirty-eight Members of the League had ratified the Protocol. The ratification of Cuba was subject to reservations respecting the condition governing the entry into force of the Protocol and the establishment of the Court on a basis of permanent session. The other Governments concerned, having been invited to state whether they could accept these reservations, replied for the most part that they were unable to accept the reservation relative to the new text of Article 23 of the Court Statute.



In a spirit of conciliation, which the Assembly appreciated, the Cuban Government, through its representative on the First Committee, intimated that it contemplated the withdrawal of its reservation respecting the duration of the Court sessions and would invite the appropriate bodies to take the necessary steps to this end. The Committee took note of this declaration, recommended that States which have not yet ratified the Protocol should do so as soon as possible, and requested the Secretary-General to present to the Assembly, for consideration at its next session, a statement showing the ratifications received by that time.

#### *General Conventions*

The First Committee re-examined Part IV of the Resolution adopted by the Assembly on October 3, 1930, on the procedure to be followed in all cases in which States desired to conclude a convention under the auspices of the League. The Committee took account of the observations submitted by the Governments and by the technical organizations of the League. It also discussed what changes were required in the text in order to bring it into conformity, as far as possible, with the procedure proposed for the codification of international law.

As a result of this examination, the Committee adopted an amended text, which will be substituted for the text adopted in 1930.

#### *Progressive Codification of International Law*

The 1930 Assembly expressed its conviction that the codification of international law initiated in 1924 should continue, subject, however, to some revision of methods. This revision of methods was effected by the First Committee of the 1931 Assembly.

After a general discussion, the Committee decided to adopt and recommend to the Assembly, with minor modifications, a resolution submitted by the delegations of Belgium, Denmark, Finland, Japan, Norway, Netherlands, Sweden and Switzerland. This resolution provides that a proposal of any subject for codification by international convention presented by the Government of a Member of the League or non-Member State should, in the first instance, be referred to the Assembly for consideration. The Assembly, if it considered the matter *prima facie* suitable for codification, would refer it to a Committee of Experts to be constituted by the Council, which would prepare a draft Convention and a report to be submitted through the Council to a subsequent Assembly. If this further Assembly, after considering the draft convention and the report of the experts, decided that the subject should be provisionally retained as a matter for codification, the Secretary-General would then submit the draft Convention and report to the Governments for their comments; and on receipt of replies from the Governments a subsequent Assembly would take a final decision as to the convocation of a Codification Conference. In the event of the Committee of Experts desiring to amend their draft Convention in the light of the comments of Governments, there is to be a second consultation of Governments on the revised draft before the Assembly takes its final decision.

The First Committee also made two recommendations endorsing the views expressed by the Codification Conference of 1930. The first is designed to secure the collaboration of international and national scientific institutes with the League in the future work of codification. The second suggests that the work of codification undertaken by the League of Nations should be carried on in concert with that of the international conferences of American States.

#### *Nationality of Women*

On the proposal of the representative of Guatemala, the Council had placed on the agenda of the Assembly the question of the nationality of women;



and had made the necessary arrangements for the consultation of certain international women's organizations.

The main point to be decided was whether the League should re-open the inquiry into the question of the nationality of women or whether the results of the 1930 Conference on Codification should be taken as the maximum at present realizable by international agreement.

The First Committee, after examining the report of the Secretary-General and the proposals of the Committee of Representatives of Women's International Organizations, considered that neither the Assembly nor itself could, at the present stage, express any opinion as to the merits of the question.

The resolution which the Committee presented to the Assembly on this subject had for its object the preparation of the ground for consideration of the question by the Assembly at its next session. To this end it was proposed that the Council should transmit to the Governments the documents which were officially placed before the Assembly by decision of the Council, the letter of the International Union of Leagues of Catholic Women of August 19, 1931, together with the Minutes of the discussions in the First Committee. The Governments will be asked to submit their observations on the whole matter, including their views regarding the Hague Nationality Convention of April 12, 1930. It was further proposed that the Assembly should receive and consider any observations which the Committee of Representatives of Women's International Organizations might wish to put forward.

## SECOND COMMITTEE

### (Technical Organizations)

#### *Economic Problems*

The discussions in the Second Committee were devoted to the prevailing economic depression.

The report of the Committee, prepared by M. Rollin (France), recognized first of all, the necessity for international economic co-operation along the lines laid down by the World Economic Conference of 1927. It emphasized the part played in the depression by the psychological factor of confidence. Lack of confidence tended to paralyse all forms and retard all phases of economic life. It meant not only reluctance to lend, but also refusal to enter into long-term undertakings. The result was the postponement of programs already decided upon, the limitation of the purchase of raw materials to daily requirements, the dismissal of workers, excessive caution instead of productive activity, stagnation instead of progress. This truth should be brought home to all Governments, Governments should teach it to their peoples.

Translating this general prescription into concrete terms, the Committee urged that States should conform to the principles embodied in the Commercial Convention of March, 1930, thereby avoiding an element of instability in commercial relations.

Approval, however, was not given blindly. While welcoming the fact, for instance, that Europe was endeavouring to bring about the restoration of her economic situation, the Second Committee did not fail to consider the repercussions such effort might have on other continents. With regard to preference for Danubian wheat, in particular, a lengthy discussion arose. A number of delegations requested the Assembly to express approval of such preference. Others, while not wishing to oppose directly the carrying out of the plan suggested, objected to the League of Nations endorsing it. The former affirmed,

on the one hand, that they had no wish to infringe the most-favoured-nation principle, their efforts being directed solely towards securing a temporary and limited exception, which they claimed was urgently necessary.

The latter replied, on the other hand, that there were enough forces at work encouraging discrimination without the League lending a hand. The League must seek ever to secure equal rights for all and special privileges for none. It would be most unfortunate that the first efforts of that institution to help agriculture should be such as would divide agriculturists instead of uniting them. Further, security for the European food supply came from the overseas surplus-producing countries. The policy of discouraging overseas production might easily destroy such security.

As a result of this diversity of opinion, the Second Committee thought it preferable not to commit itself on the matter of preference for European-grown cereals. It decided simply to take note of the report drawn up by the Commission of Enquiry for European Union.

Similarly, when asked to implement the recommendation of the Commission for European Union that the possibility of extending preference to agricultural products other than cereals, such as tobacco, raisins, etc., should be considered, the Second Committee observed that the proposed extension had equally given rise to anxiety on the part of certain delegations.

Again, if the Committee agreed with the Economic Conference of 1927 and the Commission for European Union that the development of international agreements might reduce the risk of over-production and exercise a beneficial influence on the organization of industry, agriculture and trade, it took great care to point out that these agreements might, on the other hand, involve certain dangers. They might tend, for instance, to create monopolies and crystallize unsatisfactory existing conditions. The Committee therefore urged that the interests of consumers should not be disregarded nor States be left without means of protecting themselves against an influence which might become too powerful. Any combine should be able to improve its processes and give the economic life of the various countries legitimate scope for expansion.

In the discussion the following commodities were mentioned as being likely to fulfil most satisfactorily the conditions for the purpose of cartelization: cereals, wine, cork, hemp, coal, wood, paper, artificial silk, leather, hides and skins, electrical material, motor cars and chemical products.

The labour aspect of the crisis was not overlooked. The Committee thought it desirable, in order to lessen unemployment, to contemplate the execution, in the immediate future and on an international scale, of large public works. The problem, it noted, had already been approached by the Commission for European Union, and the competent organs of the League were dealing with it. The Assembly was invited to take the necessary steps with a view to examining the various programs submitted to it.

Realising the connection between economic policy and peace, the Committee expressed the view that the study of economic tendencies liable to influence world peace initiated by the Economic Conference of 1927 should be pursued, account being taken of the Soviet proposal for a Pact of Economic Non-Aggression.

As regards the proposals put forward in the Committee regarding the closer co-operation of national economic councils in the work of the League, the Committee noted a suggestion that this aim might be achieved by a suitable modification of the existing Economic Consultative Committee.

The Second Committee also approved the final draft of a Convention for the regulation of whaling. This Convention was immediately signed by South Africa, Australia, Canada, Great Britain, France, India, New Zealand and Norway. The entry into force of the Convention is subject to the ratification

or accession of eight countries, including Norway and Great Britain. It may be revised at the request of two contracting parties and on the Council's decision. The main object of the Convention is to secure the adoption by the greatest possible number of countries of certain rules intended to prevent the destruction of a source of wealth available to all. The Convention applies to all the waters of the world, including both the high seas and territorial waters. This does not imply any restriction of the sovereign rights of States within the territorial waters, for which they may enact any provision they consider useful. Each contracting party will take the appropriate measures to ensure the application of the provisions of the Convention and the punishment of infractions by its nationals and by vessels flying its flag.

### *Financial Problems*

The financial collapse which threatened to follow the economic crash and cause a breakdown of currencies could not be regarded with equanimity by the Second Committee. It hastened to consider the remedial action which the circumstances required.

The crisis, it was suggested in a remarkable speech by Sir Arthur Salter, was due to a gap in the balance of payments between creditor and debtor countries which was not being bridged by continuous credits. Debtor countries were in danger of being unable to meet their obligations in any of the possible ways—in goods and services, in gold, or out of the proceeds of new loans or investments.

The gap in the balance of payments was estimated at some two thousand millions of dollars and ascribed to four causes acting jointly. Firstly, much of the international debt represented no corresponding productive investment yielding an annual return. A part represented damage done and expenditure incurred in a past war; a substantial further part represented money recklessly devoted to unproductive work.

Secondly, the fall in world prices had increased the real burden of the debt. The prices of the main products of most of the debtor countries—agricultural products and raw materials—had fallen further and faster than the general level of prices.

Thirdly, the flow of investment from creditor to debtor countries had been abruptly arrested in the autumn of 1929 when the speculative boom suddenly collapsed and the investor switched from excessive rashness to extreme prudence. Debtors had thus been forced to part with their gold and to borrow on short term. Both of these expedients had since been exhausted.

Fourthly, the disequilibrium in the balance of payments, instead of being corrected by the gold standard, was only registered by it in the form of a maldistribution of gold. This maldistribution had resulted in one-third of the world's monetary gold being in a form that prevented it from having its normal effect on prices.

After reviewing the causes of the disequilibrium in the international balance of payments, the Committee considered the possibilities of remedying it. Not much could be done, it was observed, by further movements of gold, since all the gold in the debtor territories amounted to some 2,500 millions of dollars, the amount required to bridge the gap in a single year, and the great bulk of this gold was legally affected as the cover of national currencies.

What remained? Debtor countries could, to some degree, improve their foreign trade balances, but this could be done in time only by drastic reduction of their imports. This reduction would mean a still further lowering of the standard of life in debtor nations, a further fall in world prices and progressive stagnation of international trade.



If banks were to put fresh money into circulation in the creditor countries by buying securities until prices rose and until the balance of trade were in favour of the debtor countries, the discrepancy would be reduced. This method might entail, however, some danger of the credit putting up stock-exchange values unduly instead of raising commodity prices.

The gap could be reduced by a reduction in Reparations and Allied Debts, but the sum of these debts amounted only to a little more than four hundred million dollars or one-fifth of the total gap.

Whatever was done in these and other ways, the greater part of the gap would still remain to be bridged. And it could only be bridged by means of loans and credits from countries in a position to export capital. The Committee came therefore to the question of how international investment could be resumed.

Before any appeal was made for new credits, it was urged, a check would have to be put on the withdrawal of existing short-term credits. The financial crisis had been precipitated by the run on these credits in Germany. Afterwards conditions would have to be created on which new lending and investment, particularly on a long term basis, would be possible. These conditions were a restoration of confidence by the improvement of political relations, and an early settlement of governmental debts on a basis within the capacity of the debtor.

If confidence could not be sufficiently restored by these methods to attract the investing public, a remaining means existed in the governmental resources of creditor countries being made available as security for loans to debtor countries. Of course, the governments of the creditor countries would act as guarantors of such loans only if a prolonged atmosphere of peace were to prevail and if there were guarantees that the countries benefiting from the arrangement would not use their credits in order to relax their internal financial discipline or to allow themselves the luxury of foreign investment. With a view to the success of these loans, the Committee recommended that the Assembly should urge governments to do all in their power to promote international understanding and such domestic, social and political conditions as would facilitate the movement of capital.

The Committee welcomed the proposed extension both in scope and in method of the League's work in helping and guiding loan schemes. The League must not only reinforce the reconstruction already undertaken of Austria, Hungary and some other countries; wherever emergency aid or advice was required, the League must be prepared and equipped to give it. The necessary resources for this purpose must be put at its disposal.

The Second Committee further welcomed the fact that the League was now authorized to give help to schemes not only of reconstruction of public finances but of economic development as well. It expressed its appreciation of the work already done in that direction, noting with special satisfaction the Convention for setting up an International Agricultural Mortgage Credit Company.

The Committee requested the competent organs of the League to consider, with the assistance of the author, another proposal, submitted by M. Francqui (Belgium), to establish an institution for long- and medium-term credits, and, in the event of any practical scheme being recommended under the auspices of the League, to ensure that, as requested by overseas representatives, it would be open for all countries to participate on an equal footing.

With regard to this question of international loans, several delegates urged one point very strongly indeed. This point was that it will be just as important in the future to discourage borrowing for wrong purposes as it is to help borrowing for purposes that are in the public interest. In this connection it was suggested that the Financial Committee should draw up and publish the principles which should govern public borrowing and that the principal financial

markets should see that the investing public was not tempted to lend for purposes that were inconsistent with such principles. A second point which was equally emphasized was that if creditor countries were asked to restore credit for productive purposes it was first necessary to liquidate losses arising from credit inflation and to exercise the spirit of inflation itself. A third point was that great care should be taken that the production of additional goods with the borrowed money would not cause a greater slump in prices than has actually occurred.

These considerations, the British delegation pointed out, apply to emergency measures that might be concerted in the immediate future. But need for removing the causes of the recent financial crisis and preventing its early recurrence is fundamental in character. In this connection, the question of the gold standard was of primary importance and it would have to be dealt with by a Conference with very wide instructions. The Gold Delegation of the Financial Committee should accordingly present its final report with its practical conclusions as soon as possible, and the enquiry into the present depression conducted by the Financial Section should be continued and directed to that end.

The Second Committee approved the proposal that the study of the course and phases of the economic depression should be continued, but the idea of calling a conference for the purpose of bringing about a redistribution of the world's supply of monetary gold was opposed by the French delegation and omitted, on its recommendation, from the report of the Committee to the Assembly.

Lastly, the Committee briefly referred to the immense value of the work of research, classification and analysis of financial and economic facts which has been built up in these last ten years by the Secretariat of the League of Nations and of which the valuable study just circulated on "The Course and Phases of the World Economic Depression" is the latest example.

### *Communications and Transit*

The Second Committee took note of the work undertaken by the Organization for Communications and Transit since the last Assembly and in particular of the success achieved by the conference for the unification of buoyage and lighting of coasts, the conference for the unification of river law and the conference on road traffic.

The conference for the unification of buoyage adopted an agreement concerning maritime signals, an agreement concerning manned lightships not on their stations, and a number of recommendations on buoyage regulations. On buoyage, the Conference could not draw up a convention. Nevertheless progress was made in the preparatory work, and, in the Second Committee of the Assembly, the British delegates announced that their Government were now preparing fresh proposals which would promote a solution as universal as possible of the question.

The conference for the unification of river law adopted a convention concerning collisions in inland navigation; a convention on the registration of inland-navigation vessels and on rights *in rem* over such vessels; and a convention on the administrative measures to attest nationality of vessels employed in inland navigation. The first two conventions in particular were signed by representatives of the majority of the Governments concerned.

In regard to river navigation, the Transit Organization has also been able to undertake the study of social questions, particularly of questions relating to conditions of employment. The Second Committee in its report to the Assembly expressed the hope that the studies on which the experts are now engaged will enable concrete proposals to be drawn up on this subject.



The conference on road traffic adopted a convention on the unification of road signalling, and a convention and an agreement intended to do away with certain formalities and charges to which motor tourist traffic is at present liable. The conference also had before it a draft convention on international commercial motor transport. Owing to the great and steady growth of commercial motor traffic in the past few years, a great many delegations considered themselves unable to form a correct idea of the legal consequences of a convention on this subject, and the conference decided that it would be better to hold over for a later conference such solutions as it might be desirable to adopt internationally, after the further necessary enquiries into the legislation of the various countries had been completed.

The Second Committee, in its report, briefly referred to the work carried out by the Transit Organization with regard to the preparation of the Fourth General Conference on Communications which was to meet on October 12. This Conference was to examine, *inter alia*, the expediency from an economic and social standpoint of fixing movable feasts and reforming the calendar.

The Transit Committee had felt unable to deal with the question of the transport of agricultural products, to which its attention had been drawn by the Conference for Concerted Economic Action, until the policy of co-operation between agricultural countries was sufficiently fixed. The Second Committee, however, was of the opinion that, pending such time, certain aspects might already be considered, for instance, the reduction of railway tariffs and Customs dues on agricultural products. The International Institute of Agriculture was prepared to give the Transit Organization the benefit of its collaboration and documentation.

The Second Committee noted with satisfaction that the Transit Organization, which had at first been obliged to attach special importance to questions of principle relating to the legal settlement of international difficulties in respect of communications, was now co-operating more and more in the work of economic reconstruction and was "placing an impartial service for the study of the great economic and technical questions of communications and public works at the disposal of all nations." The Second Committee expressed its appreciation, in particular, of the co-operation recently established with the National Government of China for the study of questions of public works. Likewise the Committee expressed its confidence that the Transit Organization will endeavour to take suitable steps to comply with requests for advice which it may receive from Governments, such as the requests for advice in respect of public works referred to in the report of the Commission of Enquiry for European Union.

### *Health*

The work of the Health Organization was reviewed by the Second Committee, which noted that this work is becoming more and more systematized and is being extended to an ever-growing number of countries in all continents.

The Health Organization has co-operated during the past year with (1) the Czechoslovak Ministry of Public Health and Physical Education, with a view to survey of health conditions in certain districts; (2) the Greek Government in the creation of a health centre; (3) the Bulgarian Government in the campaign against endemic syphilis; (4) the Roumanian Government in organizing an enquiry into the causes and prevention of infant mortality; (5) the Liberian Government in studying the problems raised by Liberia's request to the League for assistance; (6) the Bolivian Government in the training of a certain number of public health officers, in a study of disease conditions in certain tropical and sub-tropical regions, and by advising the Government on a plan of re-organization; (7) the Argentine, Brazilian, Chilean and Uruguayan Governments in organizing enquiries regarding infant mortality; (8) the



Uruguayan Government in organizing a conference on different methods for the serological diagnosis of syphilis; (9) the Brazilian Government in the creation of an international leprosy research centre at Rio de Janeiro; (10) the Chinese Government in the organization of a central field health station at Nanking, the constitution of a national hospital, also at Nanking, the re-organization of the health services and of the quarantine services, and a program of teaching.

The Second Committee noted with interest the results of comparative studies of immunization against diphtheria and scarlet-fever undertaken in several countries; of the progress made by the Permanent Commission on Standardization, which achieved particularly important results both from the scientific point of view and for the testing of the innumerable preparations on the market; of the studies made by the Malaria Commission, which have led to the definition of a standard product of the total alkaloids of cinchona, approximately as efficacious as quinine.

Reviewing the results of the European Rural Hygiene Conference, the Second Committee expressed the hope that the work undertaken in this field would be extended, so that the rural population of all countries might benefit by it in the near future.

Spontaneous unanimity was displayed in the discussion regarding China, whose people have been the victims of an appalling flood. A resolution described the danger of the spread of epidemics and loss of life in the Yangtse Valley as a humanitarian problem of the first magnitude and a matter of international concern, recalled the assistance rendered in similar circumstances by the Health Organization in Poland and Greece, invited all States to respond, as far as lay in their power, to any request for measures of relief in co-operation with the League, and requested the Council to take the necessary steps to render such co-operation effective.

### THIRD COMMITTEE

#### (Reduction of Armaments)

##### *Armaments Truce*

In the course of the general debate in the plenary sessions of the Assembly five ex-neutral States had submitted a draft resolution inviting the Council to urge the Governments convened to the Disarmament Conference to abstain, pending its result, from increasing the present level of their armaments.

The Third Committee, to which the draft resolution was referred, proposed that Governments not represented in the Assembly, but invited to the Conference, should take part in the discussion. Accordingly, the President of the Assembly invited the following States to be represented: Afghanistan, Argentine, Brazil, Costa Rica, Egypt, Ecuador, Salvador, Turkey, the Union of Socialist Soviet Republics, and the United States of America.

The following States accepted the invitation: Costa Rica, Egypt, the United States of America, Turkey, and Brazil, the last named being represented by an observer. The Government of the Soviet Union stated that, in view of the short notice, it was unable to send a delegate, but explained that it would be disposed to associate itself with a scheme for an armaments truce, provided it were adopted in a form obligatory for all countries and covering all classes of armaments.

The idea of an armaments truce met with general assent, but opinion was divided as to methods of giving practical application to the principle.

After two days' debate, the Italian representative, in support of his contention that the scheme put forward by the ex-neutral States was inadequate presented one of his own. The Italian proposal was that each Government should undertake for a period of one year dating from November 1st, 1931:—

(a) Not to increase the expenditure on *land forces* already authorized for the current financial year, and not to exceed the total of such expenditure during the next financial year until the expiry of the truce;

(b) Not to place any *warship* on the stocks, provided always that vessels under construction might be continued and completed;

(c) To suspend the construction of additional military *aircraft*, except to replace machines which are placed out of commission during the truce.

The Italian proposal contained a more precise idea than the neutral Powers' resolution. Its greater precision consisted in transforming the proposed recommendation by the Council into a definite declaration by the Governments, and in giving definite form to the limitation to be carried out in regard to the three kinds of armaments—air, land and sea.

In the ensuing discussion it became clear that some preferred the recommendation, while others preferred the declaration. Some desired a general form of obligation and others a precise and technical form of limitation.

The Canadian delegate, Senator Beaubien, endorsed the principle incorporated in the resolution of the five neutral states and the declaration proposed by Italy. In the circumstances, Canada was not committed to either of the proposed methods of effecting the suggested truce, but deeply concerned in disarmament, she was willing and anxious to help to its conclusion by all means at her disposal. "If the nations failed to stop the progressive increase of armaments," he asked, "how could reduction be envisaged as a possibility at the impending Disarmament Conference?"

Canada was very deeply concerned in this most vital problem of the League. Petitions already covered by hundreds of thousands of signatures actually were being circulated throughout Canada, requesting a limitation and reduction of armaments. These petitions would be presented to the Disarmament Conference.

The Committee strove to combine the advantages of the different proposals. This method proved successful, for, on September 28th, the Third Committee adopted unanimously a compromise text which the following day received similar approval from the Assembly.

The resolution adopted incorporates the idea of a truce—a truce in armaments for a period of one year—and the idea of a moral undertaking, to which all States will be invited to subscribe. The formula is sufficiently elastic to allow States to adapt these ideas to their own individual practice.

Certain delegates made a point of stating explicitly that they did not regard the normal carrying out of legal enactments relating to effectives, the regular execution of programs for the upkeep and renewal of land, naval, or air material, or fortifications and the constitution of the corresponding stocks as incompatible with their undertaking to accept a truce in armaments.

### *Improvement of Means of Preventing War*

The Third Committee succeeded in establishing the final text of a Convention to improve the means of preventing war which are placed at the Council's disposal by the Covenant of the League of Nations.

In virtue of Article 11 of the Covenant, in the case of threat of war, the Council may take conservatory measures, but it can only take them by a unanimous vote of its members, and subject to the agreement of the parties to the dispute. While this condition of unanimity obviates the risk of a



refractory State defying the Council, it may, in given circumstances, result in the atrophy of the Council's authority. It possesses the drawback, moreover, that it depends on the goodwill of the parties.

It is this drawback that the Convention is designed to remedy. The States accepting the Convention undertake voluntarily in advance to comply with the unanimous recommendations of the Council acting in virtue of the provisions of Article 11 of the Covenant.

The idea of such a previous undertaking originated in 1928, when, at the suggestion of Germany, the Committee on Arbitration and Security prepared a draft treaty that might serve as a model for bilateral engagements. This was approved by the Assembly which expressed the hope that it might be taken as a basis by States desirous of negotiating regional agreements. In 1929, on the proposal of Great Britain, the Assembly instructed the Committee to examine the possibility of transforming this model treaty into a general convention. In 1930, the Committee submitted to the Assembly a preliminary draft which, on essential points, contained two alternative texts. The Assembly succeeded in reconciling various points of view, but found it impossible to reach an agreement on the draft as a whole. For that reason a Special Committee was appointed in 1930 to reconsider the question. The Committee succeeded in framing a single text, and it was this text that the Third Committee of the Twelfth Assembly had before it and to which, with certain amendments, it gave its approval.

The most important of these amendments consists in separating more clearly the provisions relating to a threat of war from those relating to incidents whose nature it is more difficult to define *a priori*. This amendment met the Polish delegation's objection that the original text might imply that all cases of invasion would *a priori* be regarded as mere threats of war, when treaties already existed which considered invasions as acts of war. A Convention designed to prevent war could not be applicable when war had broken out. For that case, other measures and sanctions were provided by the Covenant.

The question of the moment at which war actually breaks out of course gives rise to difficulties of a theoretical and practical nature. It did not seem to the Third Committee that any more valuable guide in this important matter could be given than the Brouckere report to the Council (1926) defining the conditions which may be regarded as establishing "resort to war."

Another amendment specifies that there shall be equivalent treatment for land, naval and air forces as regards both preventive measures of the first class (evacuation) and measures of the second class (fixing of lines not to be passed by troops). As States regard their territorial waters as part of their territory, those waters must be evacuated by any forces that may have entered them or may be flying over them, just as the territory itself must be evacuated.

Certain doubts were expressed as to the possibility of ensuring in practice equality of treatment between air forces and the other forces, as regards measures of the first category, since the mobility of aircraft renders it easy to fly back over foreign territory during or after evacuation. In this connection, the Third Committee calls attention in its report to the provision according to which the contracting parties agree to give strict orders to the commanders of their forces, if the Council so recommends, to take all necessary precautions to avoid incidents. It is obvious that the latter provision will enable the Council to recommend particularly that the order not to fly over the territory or territorial waters of one party should be given to the air forces of the other party. Moreover, any raids by aircraft would, like those by land or sea forces, if necessary be verified or reported to the Council by the Commissioners which it had sent to the spot.



It is understood that the State whose territory has been invaded will not be required to withdraw its forces behind the lines fixed by the Council until its territory has been completely evacuated by the alien forces.

Certain delegations recommended the generalization of the system of permanent demilitarized zones, but the Committee considered that such generalization might be brought about by way of bilateral agreements and not by a general convention.

The Polish delegation desired that the Convention should have included a clause specifying that in the event of the violation of an international obligation concerning the state of a contracting party's armaments, the Council should invite the party concerned to restore the situation in accordance with the said obligation. The Third Committee considered that the question did not come within the scope of the Convention, and the Polish delegation reserved its right to submit the matter to the Disarmament Conference.

The Third Committee unanimously accepted the text of the Article proposed by the Special Committee for the supervision by Commissions of the execution of measures of a military character prescribed by the Council. It was understood that the Commissioners might not make a more extensive inspection than would be necessary to verify the withdrawal of the forces, works or military establishments. In no case could they inspect naval or air bases.

The rules to be followed for the composition and working of Commissions of inspection will be embodied in executive regulations which will be prepared by the competent organs of the League of Nations so as to enter into force at the same time as the Convention.

As regards sanctions, the Third Committee succeeded in achieving unanimity, the Netherlands delegation having renounced the reservation which it had asked to have inserted in the report of the Special Committee. The contracting parties will consider that the violation by another contracting party of the supplementary obligations which it has freely entered into under Articles 2 and 3 of this Convention constitutes *prima facie* evidence, if war breaks out, that the said party has resorted to war within the meaning of Article 16 of the Covenant. It is understood that this is only *prima facie* evidence, which does not preclude proof to the contrary.

A provision was added to the effect that parties to the Convention undertook to ensure by means at their disposal such publicity as the Council might think fit for its proceedings, decisions and recommendations. This clause is aimed at preventing public opinion as far as possible from receiving inaccurate, incomplete or biased information.

At the request of the British delegation, a clause was added indicating that the measures contemplated in the Convention would not affect the right of free passage through the Suez Canal provided for in the Convention of 1888.

The Convention will remain open for signature until February 2, 1932, the date of the meeting of the Disarmament Conference. After that date any State may accede to it. For its entry into force ten ratifications or accessions will be necessary.

A proposal was put forward to insert a clause making the entry into force of the Convention conditional, apart from the number of ratifications or accessions provided for, on a declaration by the Council accepting the responsibilities laid upon it by the Convention. After consideration, it was thought that such a declaration was superfluous; the Convention having been approved by the Assembly, it was recognized that the Council would have to apply its provisions.

The draft general Convention was unanimously adopted by the Assembly and signed at once by Austria, Colombia, Spain, Greece, Lithuania, Norway and Uruguay.

*Co-operation of Women and of the Press in the Organization of Peace*

The co-operation of women and of the press in the organization of peace was discussed by the Third Committee on the basis of draft resolutions submitted by the delegations of Spain, Sweden and Poland. The sponsors of the resolutions explained that, in their opinion, an effort was required to ensure that the work of maintaining peace was carried out in a good moral atmosphere, and that two of the most important factors in the creation of this atmosphere were, in their view, the action of women and the action of the press.

As regards women, the Committee did not deal with the question of admitting women to positions either in the League or connected therewith, this question having already been settled by Article 7 of the Covenant. Nor did the Committee raise the question of the composition of delegations taking part in the various conferences and committees of the League of Nations, as this was a question within the competence of each individual Government. It was only concerned on this occasion with the unofficial co-operation of women in the maintenance of good understanding between nations. With these considerations in mind, the Committee adopted a resolution requesting the Council to examine the means whereby such co-operation could be promoted and intensified.

As regards the press, the Committee considered that the problem of the spread of false news presented only one aspect, although a very important one, of the general question of moral disarmament, which is dealt with in detail in a memorandum drawn up by the Polish Government for the use of the delegations to the Disarmament Conference. It accordingly confined itself for the time being to proposing that the Assembly should bring this problem to the notice of the Council which, if it thinks fit, will examine with the help of experts the possibility of ensuring that press information shall be as impartial and complete as possible.

The Committee noted with satisfaction a statement by the delegate of Denmark that his Government would welcome to Copenhagen the heads of official press bureaux and thus give them an opportunity of discussing means of establishing a regular liaison between them, which might, to some extent, promote the objects in question. It, nevertheless, expressed the view that the examination of this problem should not be confined to a meeting of representatives of official press bureaux, but should be supplemented by a consultation of those newspaper groups which could give valuable advice on the subject.

*Communications of Importance to the League of Nations at times of Emergency*

The Third Committee noted that the information communicated by the Secretariat indicated that the regime which the Eleventh Assembly desired to apply to aircraft and motor vehicles effecting transport of importance to the working of the League at times of emergency could be put into operation immediately.

The Committee also noted with satisfaction that the wireless station was expected to be in operation at the latest by the beginning of 1932.

A technical report concerning the layout of an aerodrome near the seat of the League which would be of service to the League at times of emergency, had been submitted to the Third Committee. While the technical examination of the question appears to be concluded, some administrative problems affecting the Swiss Federal Government and the Secretariat of the League have not yet been settled. In these circumstances the Third Committee considered that the discussion of this question should be postponed until the next session of the Assembly, in order that the Assembly might be in possession of all the information required for its decision.



FOURTH COMMITTEE  
(Budget and Financial Questions)

*The Budget for 1932*

The general discussion on the budget was particularly thorough and detailed. More than thirty members spoke, and all except the Spanish and Lithuanian delegates emphasised the necessity of economy, laying special stress on the fact that, at a time when each State was making every effort to reduce public expenditure, the League should adopt the same policy.

It was generally recognized that the increase in the budget of the League was due to appropriations voted for the Disarmament Conference in 1932, and that these appropriations should not be affected by any measures of economy that might be taken. Further, it was agreed that the proposed economies should not interfere with the essential work of the League, which, in 1932, would have to concentrate its efforts on disarmament and the problems presented by the economic depression.

The draft budget was referred back to the Supervisory Commission who made a detailed study of every item of the budget and then submitted to the Fourth Committee proposals providing for a reduction of 2,604,999 gold francs from the first estimate of expenditure.

The Commission's report made it clear that the proposed reductions were not to be regarded as implying that the estimates for expenditure entered in the original budget were superfluous or extravagant. The revised budget was designed to meet the abnormal conditions which had developed, and provided, in many cases, for the postponement of work rather than for its abandonment.

As regards conferences and meetings, the Commission was guided by the following principle: Whenever a meeting originally fixed for 1932 could, without serious inconvenience, be postponed to a subsequent year, the credits provided should be suspended. Similarly, when credits had been appropriated for two or more meetings of a committee during the year, it should in many cases be possible to re-arrange the schedule of meetings with a view to reducing expenses. In other cases, it was agreed to reduce the length of the session and the number of experts, etc., to be invited to take part in it. All committee minutes, except those of the Assembly, the European Union Commission and the Permanent Mandates Commission, should be discontinued.

When unanimously approving the Supervisory Commission's report, the Fourth Committee thought it advisable to examine chapter by chapter the budget as modified. During this discussion, interesting suggestions were made by several speakers, some of which will be followed, the Secretary-General or the Chairman of the Supervisory Commission having declared themselves in their favour. The latter stated, for example, that the Supervisory Commission proposed to consider, before the next Assembly, the question of the League's branch offices in certain cities other than Geneva. Further, the Secretary-General agreed to a proposal that a clause should in future be embodied in the contracts of the staff to the effect that salaries might be varied by decision of the Assembly.

The budget as voted amounts to a total of 33,687,994 gold francs or a little under seven million dollars (as against 31,637,501 gold francs in 1931), subdivided as follows:

	Gold Francs
Secretariat and special organisations. . . . .	19,174,317
International Labour Organisation. . . . .	8,792,290
Permanent Court of International Justice. . . . .	2,663,702
Nansen International Office for Refugees. . . . .	297,763
Buildings at Geneva. . . . .	1,148,899
Pensions. . . . .	1,011,023



The net contribution of Canada for 1932 is 1,143,353.80 gold francs or 220,613.94 gold dollars (as compared with 1,062,867.99 gold francs or approximately 205,000 gold dollars in 1931).

### *Construction of the New Buildings*

The question of the new League buildings was considered by the Fourth Committee, which noted that the estimates were steadily on the increase. In 1927, the Assembly agreed that the sum to be expended should be approximately 19,500,000 francs. In 1930, the total estimates for the Assembly Hall, the Secretariat buildings, and external work amounted to 23,633,150 francs, with a margin of 759,553 francs for unforeseen expenditure. The cost of the new library buildings, which is to be met out of the Rockefeller grant, was estimated at 4,250,000 francs. In 1931, the estimates showed a new increase of 2,771,845 francs for the Assembly Hall and the Secretariat, the estimate for the Library remaining unchanged. The revised estimates included no margin for unforeseen expenditure, and contemplated certain economies which were impracticable. When the architects were invited to submit a revised calculation they furnished a new estimate of 29,925,494 francs.

Seriously concerned at these increasing estimates, the Fourth Committee declared that it was resolved in principle to keep within the estimates adopted in 1930, and recommended to the Assembly that the Supervisory Commission should be instructed to submit to the Council as soon as possible a program complying under the best possible conditions with the decisions taken, without excluding the possibility of reconsidering the contract concluded with the architects.

### *Allocation of Expenses*

In 1928 the Committee on Allocation of Expenses was instructed by the Council to submit to the 1932 Assembly a revised scale of contributions of States Members. In view of the present economic situation, however, the Committee came to the conclusion at the beginning of 1931 that it would be extremely difficult to draw up a new scale with permanent scientific value. It therefore considered that the question should be deferred until 1934.

In the Fourth Committee delegates of several States emphasized the disadvantages which would result for their countries from an adjournment. Agreement was, however, reached on the proposal of the Committee on Allocation.

### *Re-organisation of the Secretariat*

In 1930, the Assembly appointed a Committee of thirteen members to consider such questions as the possible abolition of the posts of Under-Secretary-General; the salaries and conditions of engagement of the Secretary-General, the Directors, the Treasurer and the Chiefs of Section. The Committee of Thirteen submitted a report, the main conclusions of which were adopted by the Fourth Committee.

As regards the first point, it was agreed that the existing organization of the higher staff should be retained for the present, and that, in three years' time at latest, the Council and the Assembly should consider the question afresh.

The Fourth Committee also adopted the suggestions of the Committee of Thirteen with regard to the term of office of the Secretary-General (which should not exceed ten years), and the Under-Secretaries-General (which should not exceed seven years), the entertainment allowances granted these officials, and the salaries of directors. It decided to give the Treasurer the rank of Director, it being understood that he would receive no increase in salary for 1932.

As regards the Registrar of the Permanent Court of International Justice, some discussion took place on the application of Article 32 of the Statute

of the Court, which states that the salary of the Registrar shall be decided by the Council upon the proposal of the Court. Some delegates and the Chairman of the Supervisory Commission, while recognizing with the Committee of Thirteen that this provision is not open to objection, maintained that it does not invalidate the sovereign right of the Assembly on budgetary matters. This right had, moreover, been recognised and respected by the Council. The Fourth Committee confirmed the above interpretation. At the meeting during which this question was taken up, the Registrar of the Court spontaneously renounced the amount entered in the supplementary budget for 1932, thus allowing the credit to be cancelled.

Moved by the same spirit of economy, the Committee postponed until next year its examination of the salaries of counsellors, the new scale of salaries applicable to the Chiefs of Section, and also the question of septennial leave for officials of the first division.

#### FIFTH COMMITTEE

#### (Social and Humanitarian Questions)

##### *Penal Administration*

The Council requested the Eleventh Assembly to consider in what way the League might co-operate with the International Prison Commission (Berne) and other interested organisations in their examination of the international aspects of prison administration. It was decided to ask Governments for their observations on a set of standard minimum rules for the treatment of prisoners drawn up by the Berne Commission. Certain organs of the League and certain international organisations were also consulted.

During the discussion in the Fifth Committee of the Twelfth Assembly, certain delegates suggested that the question of penal administration should be studied from the point of view of the progressive unification of penal law and international co-operation for the prevention and suppression of crime. It was also proposed that the Commission for the Protection and Welfare of Children and Young People should be asked to study the whole matter. Other delegates, among them the Canadian, pointed out that the only question before the Fifth Committee was prison administration, and that the consultation which had taken place showed that further study by experts on this question would be necessary before any useful action could be taken.

It was finally decided to consult a number of international organisations, and then to ask the States Members whether they desired the League's assistance in regard to the larger questions mentioned above. The standard minimum rules are to be reconsidered by the Berne Commission in the light of the observations made on them, and the Governments will then be asked whether the League should set up a special committee to study the question of the treatment of prisoners, or should co-operate with the Berne Commission.

##### *Child Welfare*

The Fifth Committee took note with satisfaction of the preliminary work done on the principal questions recently studied by the Child Welfare Committee: the return to their homes of minors who are in a foreign country against the will of their parents or guardians, assistance to foreign minors, and the recognition and enforcement of maintenance orders abroad. A draft convention on the first question has been prepared and submitted to the Governments, to be used as a model for agreements that may be concluded. It was recognised that the second and third questions exceeded the competence of the Child

Welfare Committee, and the Council decided to set up a special committee to consider them. The Governments of the following States have been invited to nominate experts for this committee: Argentine, Canada, Denmark, France, Germany, Great Britain, Hungary, Italy, Japan, Netherlands, Poland, Switzerland.

Several speakers pointed out the danger to adolescents, from the standpoints of health, education, and employment, constituted by the world economic depression, and emphasized the necessity of measures to counteract its effects, to prevent juvenile delinquency, and to deal adequately with the juvenile delinquent. The Fifth Committee expressed appreciation of the study of the juvenile court system now being carried on by the Child Welfare Committee, and recommended that countries where no such system exists should set up juvenile courts and associate women in their work.

### *Traffic in Women and Children*

The Canadian Delegate (Mrs. H. P. Plumtre) was appointed Rapporteur for this question.

During the discussion, particular emphasis was laid on the necessity for international action to suppress this traffic, which is organized on an international basis, and on the opportunities afforded to its agents by the unemployment and economic distress existing at the present time.

The Fifth Committee noted with satisfaction that there were already 38 parties to the Convention of 1921 for the Suppression of the Traffic in Women and Children, and expressed the hope that further ratifications would be registered in the near future.

For some years the Traffic in Women and Children Committee has been studying the measures taken against souteneurs. A summary of national legislation on this point has been prepared, and the Governments are being consulted as to the possibility of adding to the 1921 Convention a number of provisions dealing with this question. In this connection, it was pointed out that in Canada souteneurs may be punished by ten years' imprisonment, with the lash for a second offence. The question is to be studied further in order to ascertain, if possible, the results of the penalties, with special reference to the recurrent conviction of habitual offenders.

In presenting the Fifth Committee's Report to the Assembly, the Rapporteur said:—

"The work upon which the Fifth Committee has reported clearly demonstrates the importance of a central body, like the League, whose humanitarian operations are not confined within national barriers. The traffic in women and children is only one manifestation of a world-wide network of underground criminal activities in which are interwoven the illicit traffic in habit-forming drugs, the circulation of obscene publications of all kinds, the issuing of counterfeit money, and varied forms of smuggling. In all these activities the risks are great, but the potential gains are greater in the eyes of the dangerous criminals who are engaged in them. To make the risks greater than the rewards required the united efforts of the legislative, judicial and police forces of the world, supported by an informed and intelligent public opinion; and the abstention of Members of the League from the Conventions seriously weakens the international offensive against these criminals.

"In the discussions of the Fifth Committee, it was emphasized that the need for complete international co-operation against these evils—and especially the traffic in women and children—is particularly urgent at this time, when economic pressure and widespread unemployment are forcing many to seek new methods of earning money. Money is hard



to get; everyone has to work harder than usual to earn it; and, therefore, among others, the agents of this traffic will be particularly active and persistent. On the other hand, unemployment, with consequent suffering from cold and hunger, may predispose many women and girls to consider ways of earning money and to listen to proposals which, in easier times, would be utterly repulsive to them.

"We would, therefore, through this Assembly, respectfully urge all States Members of the League which have not already done so to accede to the various Conventions of the League; and, by implementing to the full the responsibilities which all signatories have undertaken, to do their share in safeguarding those who, hard pressed by poverty and discouragement, are in peculiar need of friendship and protection."

### *Traffic in Opium*

The chief event of the past year in the League's campaign against the illicit traffic in narcotics was the adoption of a convention for limiting the manufacture and regulating the distribution of narcotic drugs. Many members of the Fifth Committee drew attention to the importance of this international agreement, and the Committee, in its Report to the Assembly, said: "The Convention marks an entirely new and highly important development in international co-operation, since this is the first time that an industry has been brought under international regulation, and that manufacture in its economic aspect has been wholly subordinated to higher humanitarian and moral aims." The Committee noted that the Convention had been signed by 36 States, and expressed the hope that it would soon be widely ratified.

Now that the question of limitation of manufacture has been dealt with by means of an international convention, the question of limiting the production of raw materials inevitably arises. The Committee therefore asked the competent organs of the League to undertake the preparatory work for a conference on the limitation of the production of opium and the cultivation and harvesting of the coca leaf.

While noting with satisfaction the results of the efforts made with a view to the suppression of the illicit traffic in narcotics, the Committee drew attention to the fact that quantities of narcotics greatly in excess of the medical and scientific requirements of the world are still being produced and circulated. It expressed the view that wider ratification of the 1925 Convention (to which there were already 47 parties), strict application of its provisions and of the administrative measures recommended by the Advisory Committee, and early ratification and enforcement of the 1931 Convention, would all contribute to the suppression of the illicit traffic.

### SIXTH COMMITTEE

#### (Political Questions)

### *The Commission of Enquiry for European Union*

The Sixth Committee had to examine the question of the constitution of the Commission of Enquiry for European Union and its methods of work; in particular it had to decide as to the advisability of continuing the Commission's work during the year 1932.

All the delegations agreed that the Commission's mandate should be renewed. The delegations also agreed that the general principles laid down by the Commission as regards its constitution were in accordance with the resolution adopted by the Assembly on September 17, 1930. These organic principles

may be summarized as follows: The Commission is a body of the League of Nations seeking to draw closer bonds of solidarity between the European States. It submits its reports to the Assembly every year. It has as its Secretary the Secretary-General of the League. The Commission can have recourse to the technical organs of the League. The extra-European States Members of the League have the right, if they so desire, to take part in the meetings in order to submit their observations. The Commission can further invite to share in its work the Governments of States which are not Members of the League.

To allay the criticisms advanced by several delegations against the Commission's methods of work, and particularly, against the number of committees and sub-committees it had set up, the Sixth Committee considered that the Commission for European Union not only could, but, as a general rule and apart from certain special cases which might arise, should have recourse to the technical organs of the League, and thus avoid overlapping.

The Sixth Committee also requested the Commission to refer directly to the League any problems which it might have examined, but which ought to be considered on a more elaborate scale than that involved by the continent of Europe alone.

### *Pact of Economic Non-Aggression*

The proposal which was submitted by the Soviet Government to the European Commission with a view to drawing up a Pact of Economic Non-Aggression is one of the questions which overstep the frontiers of the European continent and should, according to the general rule, be treated by the League itself and by its technical organs. Nevertheless, for special reasons, which all the delegates finally accepted, the Sixth Committee was of opinion that the question of the Pact should be considered by a special committee which the European Commission had decided to appoint subject to the approval of the Assembly.

Since, however, this subject is of a world-wide character, the Sixth Committee proposed that the special committee should be extended to include the following non-European States: the United States of America, Australia, Canada, Chile, China, India, Japan and Uruguay.

### *Protection of Minorities*

The League's work on the protection of minorities since the last Assembly was discussed by the Sixth Committee. The German representative gave a general analysis of the application of the system during the past year, and indicated the direction in which he desired it to develop. In his view, it would be advisable that minority committees of five Members of the Council should be constituted more frequently, that the committees should ask the petitioners more often for information and that means should be found for ensuring that the petitioners would be in a position to take note of the contents of the observations sent by the Governments concerned on the subject of their petitions, though that would not necessarily imply any recognition of their status as parties in a procedure in which both sides were to be heard. The speaker emphasized the importance of securing the publicity of the result of the examination of questions by minorities committees in the largest possible number of cases. He pointed out, in particular, that under the present system it was impossible to know in which cases the non-publication of these results was due to the fact that the committees did nothing in the matter, and in which cases the initiative of the committees did not meet with the approval of the Government concerned.

Speaking on behalf of Czechoslovakia, Greece, Poland, Roumania and Yugoslavia, the Roumanian delegate pointed out that these States had had an opportunity in 1930 to state their point of view on the question. They had

nothing to add to the declarations which were then made, it being understood that they were opposed to any extension of the Council resolution of June 13, 1929.

Senator Beaubien, the Canadian representative on the Sixth Committee, pointed out that the minority question was not an exclusively European one and that it had effects in distant countries, among others in Canada where there were considerable minorities faithfully attached to their countries of origin. The Canadian delegate maintained the view previously taken up on this question. While expressing satisfaction with the progress accomplished he considered that there was room for considerable improvement in procedure. The Canadian delegation considered that a Permanent Consultative Committee might render useful service in this connection.

The delegate of Spain, after emphasizing the psychological side of the minorities problem, drew attention to the fact that his country was now engaged in settling the Catalan problem in accordance with the principles enunciated by the League of Nations.

### *Mandates*

The work in connection with mandates forms one of the most important tasks entrusted to the League. It consists in supervising the administration of the mandated territories, and noting how far and by what means the mandatory Powers are performing the task entrusted to them of helping those countries, which might be described as minors, and educating them in preparation for independence.

The object of the institution of mandates is, in the case at least of A Mandates, the eventual acquisition of independence, and this year the problem has arisen in the case of Irak of determining under what conditions a country should be recognized as having reached the stage in its development at which it can cease to be a mandated territory and acquire independence.

The Permanent Mandates Commission studied this question with great thoroughness, and the Sixth Committee expressed its appreciation of its work. In the conditions defined by the Mandates Commission, the Council now possesses a criterion for determining, in individual cases, whether a country is ready to pass from the status of a mandated territory to that of independence.

Like the Mandates Commission, the Sixth Committee considered that the emancipation of the territories covered by Article 22 of the Covenant should be made dependent on the fulfilment of certain *de facto* conditions, and on the existence of certain guarantees stipulated in the interests both of the territories concerned and of the international community. The guarantees relating to the safeguarding of the rights of foreigners, the effective protection of racial, linguistic and religious minorities and the maintenance of the principle of economic equality were, in the Sixth Committee's opinion, of quite special importance.

The Sixth Committee was also concerned with the development of the public health services in the mandated territories. It expressed the opinion that the recommendations put forward in this connection by the Mandates Commission seemed likely to contribute largely to the success of the work of civilization undertaken in the mandated territories under the auspices of the League of Nations.

Lastly, the Sixth Committee noted that order had not again been disturbed in Palestine since the regrettable incidents of 1929, and associated itself with the hope expressed by the Mandates Commission that the efforts made by the Mandatory Power to facilitate the establishment of a Jewish National Home without infringing the rights of the Arab population would be crowned with success.



### *Refugees*

The Sixth Committee heard a statement by the Chairman of the Governing Body of the Nansen International Office for Refugees, who explained that plans were being made to wind up the work of the Office by the end of 1938. The Committee requested the Governing Body of the Office, in consultation with the Inter-Governmental Advisory Commission for Refugees, to examine the advisability of preparing a convention to ensure the protection of the refugees on completion of the Office's work.

The Office was requested to devote particular attention to the situation of some 100,000 Russian refugees in China. Note was taken of the progress made in the settlement of Armenian refugees in Syria, which it is hoped to complete by the end of 1933. The Committee learned with interest that it might be found possible to settle some thousands of Armenian refugees (chiefly from Greece and Bulgaria) in the Armenian Republic of Erivan.

### *Slavery*

It is an admitted fact that, despite the campaign instituted more than a century ago by Great Britain, slavery is still found in many places. It is rife in certain countries not represented on the League, and unfortunately there are also countries which do belong to the League where it still exists in various forms.

That is why the British delegation, this year, proposed that the former Temporary Commission set up in 1923, which had never concluded its work, should be reappointed.

In the Sub-Committee appointed to examine this proposal, the delegate of the Netherlands put forward, in the form of an amendment to the British text, a suggestion that, instead of the Temporary Commission, a Committee of three experts should be appointed, to be chosen exclusively on the grounds of their personal qualifications and competence.

The Sixth Committee finally requested the Council to appoint, for one year, a small committee of experts to examine the material on slavery supplied by Governments since the signature of the 1926 Convention. This Committee will, in the first place, inquire to what extent the Convention has succeeded in putting an end to slavery and what obstacles exist to further progress. It will also be called upon to make suggestions as to measures of assistance for countries which have agreed to abolish slavery, and which may request such assistance.

### *Intellectual Co-operation*

The discussions in the Sixth Committee revealed the profound and universal interest that is taken in questions of intellectual co-operation. The unanimous impression was that, in this field, the League had made progress, and that it was now in a position to facilitate intellectual relations between countries and thus help them to understand one another better. In the words of the Rapporteur, the work of intellectual co-operation becomes the nucleus of a great undertaking, in which not only the Ministries of Education and Fine Arts and the national official institutions are collaborating but also private organisations interested in questions of culture and education.

True the work undertaken is still in its initial stages, but the Sixth Committee was already in a position to submit to the Assembly definite achievements and a program of action.

Among the fresh tasks undertaken should be mentioned a projected study of educational broadcasting. The use of wireless in schools, and its utilization in the teaching of adults and more generally for bringing about the rapprochement of nations, are subjects which have engaged the attention of the Committee

on Intellectual Co-operation and to which it will revert next year in the light of the information obtained from the competent official departments and the appropriate international organizations, and especially from qualified educational experts. The observations of the British and French delegations strongly emphasized the importance of this question.

Mr. Burrell, who represented Canada on the Sixth Committee while questions relating to intellectual co-operation were under consideration, stressed the value of intellectual understanding and co-operation in scientific matters as elements in progress and guarantees of peace. He endorsed the changes in the structure and functions of the Committee of Intellectual Co-operation and hoped they would result in its more effective influence in future.

Special mention should also be made of a conference, summoned by the International Museums Office, which will shortly be held at Athens. This Conference will study the important question of the conservation of artistic and historical monuments. New technical methods have recently been introduced. These will be compared and the best of them noted and generalized.

Several delegations on the Sixth Committee were gratified to find that the often-debated question of school textbooks was beginning to take a practical shape. A report has been drawn up which relates all the measures taken in the different countries to remove from school books passages harmful to friendly international relations. It outlines the methods employed and the results obtained. A committee of historians and educational experts will study the report and draw the necessary conclusions which will be submitted to the Assembly next year.

HUGH GUTHRIE,  
C. P. BEAUBIEN,  
ADELAIDE M. PLUMPTRE,  
MARTIN BURRELL,  
PHILIPPE ROY,  
W. A. RIDDELL.













E4  
R21

REPORT  
OF THE  
CANADIAN DELEGATES  
TO THE  
THIRTEENTH ASSEMBLY OF  
THE LEAGUE OF NATIONS

---

GENEVA

SEPTEMBER 26—OCTOBER 17, 1932



OTTAWA  
F. A. ACLAND  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1932

Price, 25 cents.



CH 1 E 1 A  
R21

REPORT  
OF THE  
CANADIAN DELEGATES  
TO THE  
THIRTEENTH ASSEMBLY OF  
THE LEAGUE OF NATIONS

---

GENEVA

SEPTEMBER 26—OCTOBER 17, 1932



OTTAWA  
F. A. ACLAND  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1933



## TABLE OF CONTENTS

	PAGE
ORGANIZATION OF THE ASSEMBLY.....	3
PLENARY MEETINGS OF THE ASSEMBLY—	
General Debate.....	4
Elections to the Council.....	5
Entry of Iraq into the League.....	5
FIRST COMMITTEE—	
Nationality of Women.....	5
Revision of the Statute of the Permanent Court of International Justice.....	7
Amendment of the Rules of Procedure of the Assembly.....	8
SECOND COMMITTEE—	
Economic and Financial Questions.....	8
Work of the Communications and Transit Organization.....	10
Work of the Health Organization.....	11
Draft Convention on Educational Films.....	13
THIRD COMMITTEE—	
(Not constituted).	
FOURTH COMMITTEE—	
Reorganization of the Secretariat.....	13
Salaries of the officials.....	15
Rationalization of various services.....	15
Contributions in arrears.....	16
Budget for 1933.....	16
Allocation of expenses.....	16
FIFTH COMMITTEE—	
Penal and Penitentiary Questions.....	17
Protection and Welfare of Children and Young People.....	17
Traffic in Opium and Other Dangerous Drugs.....	18
SIXTH COMMITTEE—	
Protection of Minorities.....	18
Mandates.....	19
Commission of Enquiry for European Union.....	20
Slavery.....	20
Refugees.....	20
Intellectual Co-operation.....	21
Co-operation of the Press in the Organization of Peace.....	22
Collaboration of Women in the Organization of Peace.....	22

# Report of the Canadian Delegates to the Thirteenth Assembly of the League of Nations

---

The Right Hon. R. B. BENNETT, K.C., M.P.,  
Secretary of State for External Affairs,  
Ottawa, Ontario.

SIR:—We have the honour to submit the following report on the proceedings of the Thirteenth Ordinary Session of the Assembly of the League of Nations which was held in Geneva from September 26 to October 17, 1932:

## ORGANIZATION OF THE ASSEMBLY

Fifty-three of the fifty-six States Members of the League were represented at the Assembly. This number was later increased by the admission of Iraq to membership in the League. Nicaragua, which has long abstained from the work of the Assembly, was this time represented. The Argentine, the Dominican Republic and Honduras did not send delegates.

The Canadian delegation consisted of the Hon. Charles Hazlitt Cahan, Secretary of State; Mr. Henry F. Munro, Superintendent of Education of the Province of Nova Scotia, and Mme. Charles Frémont, Quebec, with Mr. W. A. Riddell, Dominion of Canada Advisory Officer, accredited to the League of Nations, as alternate delegate; Mr. P. E. Renaud, acted as Secretary-General to the delegation.

The election of the officers of the Assembly resulted as follows:—

*President:* M. Nicolas Politis (Greece)

### *Vice-Presidents:*

Baron Aloisi (Italy)	M. Medina (Nicaragua)
Sir John Simon (United Kingdom)	M. Nagaoka (Japan)
M. Herriot (France)	M. Motta (Switzerland)
Baron von Neurath (Germany)	M. Hymans (Belgium)

### *Chairmen of Committees:*

First: M. Beelaerts van Blokland (Netherlands)  
Second: Mr. te Water (Union of South Africa)  
Fourth: M. de Vasconcellos (Portugal)  
Fifth: Count Carton de Wiart (Belgium)  
Sixth: M. Lange (Norway)

The Canadian delegation was represented on the Committees as follows:—

#### *First Committee:*

Hon. C. H. Cahan  
Mr. H. F. Munro

#### *Second Committee:*

Dr. W. A. Riddell  
Hon. C. H. Cahan

#### *Fourth Committee:*

Mr. H. F. Munro  
Dr. W. A. Riddell

#### *Fifth Committee:*

Mme. Charles Frémont  
Dr. W. A. Riddell

*Sixth Committee:*

Hon. C. H. Cahan  
 Mr. H. F. Munro  
 Mme. Charles Frémont

No Third Committee was constituted as all the questions which were submitted at previous sessions to that committee were being examined this year by the various organs set up by the Conference for the Reduction and Limitation of Armaments.

## PLENARY MEETINGS OF THE ASSEMBLY

Mr. de Valera, as President of the Council, opened the Assembly. He drew the attention of the Assembly to certain criticisms of the League's activities. There were suggestions that the action of the League in the economic sphere might be paralysed by the pressure of powerful national interests, and that if the hand that was raised against the Covenant was sufficiently strong it might strike with impunity. The one effective way of silencing that criticism was to show unmistakably that the Covenant was a solemn pact, the obligations of which no State, great or small, would find it possible to ignore.

M. Politis (Greece), in a brief presidential address, emphasized, as the President of the Council had done, the need for constant vigilance. The will for peace seemed to have been weakening. It was essential to complete and strengthen the guarantees for peace which the League had already inspired or created.

M. Motta (Switzerland), who continued the general discussion, expressed his surprise at the threats made in certain quarters to abandon the League if this or that thing desired was not done, and done at once. The destruction of the League of Nations would mean, for the small countries, that they would have to renounce the opportunity they now had of bringing their helpful influence to bear in international matters. For the great countries it would mean a return to the old system of alliances, rivalries, and bitter competition.

M. Herriot (France) also said that the League had given proof time and again of its usefulness. The League had made the Lausanne Conference possible, and it was the League that had convened the Disarmament Conference. In the matter of disarmament the doctrine which France supported was "the Covenant, the whole Covenant and nothing but the Covenant." For France, the Covenant was the law. Furthermore, it was a matter of encouragement to the friends of peace to know that the most enlightened minds in the United States were collaborating with the Members of the League in order to strengthen the Briand-Kellogg Pact. By the new methods of international discussion which the League afforded, it should be possible to overcome the evils of the old order of things, notably, secret diplomacy and the system of alliances and balance of power.

Lord Cecil, speaking on behalf of the United Kingdom delegation, thought that the charge of League extravagance was no doubt pressed beyond all reason and justice. The amount spent on the League was a mere fraction of what the nations were spending in preparations for war. But the main charge was that the League had shown itself inefficient. What was really meant was that in certain great international questions the League had been unable to reach a successful result. This was primarily not a charge against the League, but against its Members. Wherever League machinery had been fairly and genuinely applied without fear and without hesitation, it had produced admirable results. If the policies of France and Germany were fully guided by the principles of the Covenant, their disputes would automatically come to an end. No



machinery for peace could work unless the will for peace was there. Every nation could disarm if it chose, and the nations could all agree to disarm if they chose. The question was, were the Governments, and especially the Governments with great military and naval forces, really in earnest?

Baron Aloisi restated Italy's disarmament policy: the need to reduce as much as possible the general level of armaments, to bring about a "per-equation" or proportional equalization of the potential war-strengths of States and to reinforce by disarmament the security of each nation. In economic matters, Italy was ready, in conformity with the recommendations of the Stresa Conference's report, to take part in an endeavour to restore better conditions of life in one important area of Europe. Similar action might be taken in the wider sphere of Europe as a whole and of the whole world. Italy, for her part, was ready for any international action based on a sound, balanced and liberal customs and currency policy.

Alluding to the decision taken by the Council to set up a committee to follow the further development of the dispute between Bolivia and Paraguay, M. Costa du Rels and M. Caballero de Bedoya declared the firm intention of their respective Governments to submit the dispute to pacific settlement.

#### ELECTIONS TO THE COUNCIL

The three non-permanent seats on the Council, made vacant by the retirement of Peru, Yugoslavia, and Poland, were filled on October 3 by the election of Mexico and Czechoslovakia and the re-election of Poland, which had previously been declared re-eligible, for three years ending in 1935.

#### ENTRY OF IRAQ INTO THE LEAGUE

On October 3, Iraq was admitted by a unanimous vote as a Member of the League of Nations. The moment was historic, for Iraq is the first State to emerge from the Mandatory regime into full nationhood. Sir John Simon recalled that Iraq was the country that had been the source of religion and of civilization for half of the world; that it enclosed within its boundaries the place that was the Garden of Eden and the area that was afflicted by the Flood; and that it could show to-day the records of Abraham and Ur of the Chaldees, the records of Nebuchadnezzar and the Kingdom of Babylon, records which still remained of the ancient Empire of Nineveh and Sennacherib.

#### FIRST COMMITTEE

(Legal and Constitutional Questions)

##### *Nationality of Women*

The First Committee of the Assembly was called upon for the second time to consider whether it should recommend the convocation of a conference to revise immediately Articles 8 to 11 of the Hague Convention of April 12, 1930, which deals with the nationality of women, as urged by various representative women's organizations, or whether it should find that the results of the Hague Conference represented the maximum that could be secured by general international agreement at the present juncture.

The delegations of Chile and Colombia were in favour of an immediate revision of the Articles in question, while the delegation of Canada expressed the hope that the Hague Convention would as soon as possible be put into effect, without prejudice to further international action when such action became practicable. The Committee decided in favour of the second solution.

The draft resolution put forward by the Chilean and Colombian delegations aimed at the complete revision of Articles 8, 9, 10 and 11 of the Hague Convention, which deal with the nationality of women, and the drafting of a new

convention based on the principle of equality between the sexes in the matter of nationality, and conceived in the same spirit as the draft resolution submitted to the Hague Conference by the delegation of Chile.

This proposal, which was supported by the delegations of China, Turkey, Cuba and Norway, was explained by its authors, who were not content to repeat the arguments set out in the successive reports of the Committee of Representatives of Women's Organizations. Emphasis was laid on the special significance of the Hague Convention as the first stage in the task of codifying international law undertaken by the League, and consequently on the particular importance of eliminating from that Convention all those Articles that mark the difference between the legal status of men and women.

Some countries absolutely refused to establish equality between men and women in the matter of nationality, arguing that the unity of nationality of husband and wife was one of the best means of securing the unity of legal status of the family. At least an equal number of countries, however, referred to the progress that had already been achieved in their national legislation in the direction of the independence of married women in the matter of nationality, which they did not regard as in any way incompatible with the unity of the legal status of the family. That unity could, they thought, be secured either by applying the national law of the member of the couple in whose country the family lived, or by applying the law of the country of domicile of the family, etc. Several delegates also referred to the resolutions to that effect adopted by the Institute of International Law at Oslo on August 22, 1932.

The differences between national laws influenced the great majority of delegations in believing that it would be useless at present to attempt to revise Articles 8-11 of the Hague Convention. The Convention was in the nature of a compromise, and it could not reasonably be anticipated that all laws on the subject would be made uniform in the near future. Emphasis was also laid on the difficulties of a general nature that might in future be encountered in codifying international law—a sufficiently difficult task already—if an attempt to rewrite the first Convention of its kind, which had been so laboriously prepared in 1930, were made before it had even come into force. Other considerations of a more positive nature, however, induced the great majority to adopt the draft resolution submitted by the Canadian delegation, expressing the hope that the Nationality Convention would shortly be put into force.

In the first place, it was pointed out, the Convention does represent a real improvement in the legal status of married women who are the victims of the differences between nationality laws. Convincing examples were given to show the urgency, in many countries, of putting an end to certain very distressing cases of statelessness, some of which arise when the legislation of the husband's country does not confer its nationality on the wife, while at the same time, according to the law of her country of origin, the wife loses her nationality on marriage. Only the entry into force of the Hague Convention can remedy cases of this kind, despite its recognized inadequacy as a remedy for all cases.

The practical advances thus made have not, moreover, been achieved at the expense of the general principles of justice and equality. It was not the Hague Conference's intention to affirm a principle contrary to the independence of married women in the matter of nationality; the Hague Conference, on the contrary, recommended States to respect the principle of the equality of the sexes in matters of nationality. (Recommendation No. VI).

Such were the main reasons that led the Committee to express the hope that the States which have signed the Nationality Convention would enact the legislation necessary to give effect to that Convention and would deposit their ratifications at an early date.

In the course of discussion, the Belgian delegation put forward an ingenious proposal for a textual alternative in the wording of these articles with a view to

removing any possible suggestion of discrimination against women. This proposal, on examination, was found to be impracticable and was ultimately withdrawn.

The draft resolution submitted to the Assembly calls the attention of Governments to the possibility of drafting laws which would bring their municipal laws into harmony with the Hague Convention, if they were prepared to accede thereto, in a form which would avoid discrimination between the sexes wherever it was possible to do so.

The proposals of the Austrian and French delegations, which were welcomed unanimously as supplementary to the Canadian proposal, were designed to indicate in what direction the League might usefully apply its activities in regard to the special question of the nationality of women.

In accordance with these proposals, the First Committee instructed the Secretary-General to request the Governments from time to time to submit information on the action that each of them may have taken on Recommendation No. VI of the Codification Conference. Furthermore, it requested the Council to keep itself constantly acquainted with the information received by the Secretariat and with the evolution of public opinion, so that it might be in a position to decide at what juncture new concerted international measures might be contemplated.

At the request of certain delegations the vote in the Assembly was taken by roll-call on the conclusions of the First Committee. Of the thirty-nine States voting, 30 delegations voted in favour of the resolution and 9 delegations abstained.

### *Revision of the Statute of the Permanent Court of International Justice*

Although the Protocol of September 14, 1929, concerning the Revision of the Statute of the Permanent Court, did not enter into force on the date originally contemplated, the Assembly in 1930 accepted the view that it could subsequently come into force if the necessary ratifications were received.

When the Thirteenth Assembly met forty States, including Canada, had ratified the Protocol. Cuba had withdrawn the reservations originally attached to her ratification, and the United States of America had intimated that they saw no reason to object to the coming into force of the Protocol between such nations as might become parties thereto. But the ratifications necessary are those of all the States which have ratified the Protocol of Signature of December 16, 1920, and the following States which have ratified this Protocol had not yet ratified the Protocol of September 14, 1929: Abyssinia, Brazil, Chile, Lithuania, Panama, Peru, Uruguay, Venezuela.

The First Committee of the Thirteenth Assembly considered it important to make every effort to secure the early entry into force of the Protocol since the amendments set out in the annex to the Protocol are designed to secure important improvements in the jurisdiction and procedure of the Court. Some of them are designed to develop the activities of the Chamber of Summary Procedure and thus to provide States with a means of settling more rapidly disputes not regarded as of sufficient importance to justify a hearing before the Court as ordinarily constituted. Other amendments are designed to give to the advisory procedure of the Court under Article 14 of the Covenant the character of its ordinary jurisdiction. The Protocol also contains amendments designed to facilitate the appointment of judges to any vacancy which may occur during the term of office of a judge of the Court.

The committee therefore expressed the hope that States which have not yet ratified the Protocol would do so as soon as possible, and requested the Secretary-General to draw the attention of these States to the matter and to ask them to explain, in the event of their unwillingness to ratify, the nature of the difficulties which prevent them from doing so.



### *Amendment of the Rules of Procedure of the Assembly*

During the last few sessions of the Assembly, it has occasionally happened that proposals have been submitted in the name of an exceptionally large number of delegations. It is conceivable that proposals might be submitted by so considerable a number of signatories that the other Members of the League would hesitate to express their misgivings or doubts as regards the expediency of a proposed measure whose adoption was already a foregone conclusion. This would be the case particularly with regard to the placing of new questions on the agenda. A proposal signed by more than half the Members of the League present would more or less settle the question in advance and would deprive the States Members of the League of the possibility of devoting the necessary time to a careful study of the problem raised.

To guard against this contingency, the Norwegian delegation submitted to the First Committee the proposal that Rules of Procedure 4 and 17 be amended so as to provide that no proposal for the placing of a new question on the agenda and no resolution, amendment or motion might be signed by more than ten Members of the League. The Canadian delegation supported this suggestion which was approved with an amendment raising to fifteen the number of signatures permissible.

On September 27, the Assembly referred to the First Committee the suggestion of the General Committee that Rule 12 of the Rules of Procedure of the Assembly, which provides that the Secretariat shall keep lists of the attendance at each meeting of the Assembly, has no practical utility and might with advantage be deleted.

The committee approved this suggestion.

### SECOND COMMITTEE

#### (Work of the Technical Organizations)

#### *Economic and Financial Questions*

This year the Second Committee found it convenient to consider economic and financial questions together. As a basis of discussion it took the report reviewing the world economic and financial situation submitted by M. Bianchini, delegate of Italy. Most countries had abandoned the gold standard, and impediments to the exchange of goods, capital and labour had been multiplied, but, there were some grounds for encouragement: prices in recent months had been relatively steady; money rates were abnormally low; two great States had carried out debt conversion schemes on an unprecedented scale, and a great step forward in international economic co-operation had been taken by the Lausanne Conference.

The Rapporteur referred to the work done by the Financial Committee in Austria, Bulgaria, Estonia, Greece and Hungary and drew attention to the recent request from Roumania for technical assistance from the League. He emphasized the importance of the report of the Gold Delegation and expressed the opinion that it was owing to failure to follow the methods therein advocated that certain countries had experienced such difficulty in reestablishing their financial systems.

M. Bianchini reviewed the work accomplished in the matter of procedure for the friendly settlement of economic disputes between States, unification of customs nomenclature, veterinary conventions; international economic agreements, examination of the international situation of certain branches of production (coal, motor-car industry, timber, hops, tobacco), national economic councils, promissory notes and cheques, bribery and unfair commercial practices, and marks of origin.

Certain general considerations were brought forward during the discussion which followed, and these considerations will form part of the material placed at the disposal of the Preparatory Committee for the Monetary and Economic Conference. Present events, it was emphasized, confirm again the close interdependence of nations. National remedies have often proved inadequate and even harmful, as, for example, the system of restrictions upon operations necessary for the payment of commercial transactions. A final solution can only be found in concerted action upon an international scale. Technical considerations will certainly play an essential part in determining the solution, but psychological factors must not be neglected. An atmosphere of general distrust is weighing upon the future of the world. If the political atmosphere is lightened, if, in particular, progress is achieved in the direction of material and moral disarmament, action in the economic field will be considerably strengthened. It is not sufficient to frame plans of reconstruction. It is necessary to have a firm intention that those plans should be carried to success. The necessary collaboration requires that each nation shall be ready to sacrifice some of its interests for the success of the common task and that the leading statesmen shall be prepared to shoulder their responsibilities, before the public opinion of their own countries.

The discussion bore in particular on the problem of revalorization of cereals, the difficulties which certain countries are experiencing in insuring the service of loans concluded under the auspices of the League, the customs problem, restrictions on international trade and currency circulation, the problem of wholesale prices, the question of an international programme of public works as a measure against unemployment, the work of the Committee of Experts on Veterinary Questions and the possibility of summoning a conference on this subject, and, lastly, expectations of the forthcoming Monetary and Economic Conference.

A draft resolution urging "the revalorization of agricultural products as a measure calculated to remedy the difficult economic and financial position" of Central and Eastern Europe was submitted by the delegations of Poland, Czechoslovakia, Roumania, Yugoslavia, Hungary and Bulgaria. It gave rise to a long discussion in which Mr. Cahan, the head of the Canadian delegation, took part. Mr. Cahan suggested jointly with the Australian delegate that the resolution should be made more general and refer to all agrarian countries throughout the world inasmuch as all were adversely affected by the decline in the prices of their products. The draft resolution was finally withdrawn.

Another question examined by the Second Committee was that of the initiation of large-scale public works. The committee noted with satisfaction the results of the thorough study which has already been made by the League, from the technical point of view and from the point of view of economic utility, of a considerable number of plans submitted by numerous Governments and particularly by the majority of the countries of Central and Eastern Europe. It endorsed the resolution adopted by the Council deciding to submit the question to the Preparatory Commission of the coming Economic and Monetary Conference.

On being informed that the three draft Veterinary Conventions prepared by the Economic Committee are regarded by many Governments as suitable to serve as a basis of discussion at an international diplomatic conference, the Second Committee expressed the desire that this diplomatic Conference might be convened during 1933. The committee further expressed the hope that the States concerned will be kept informed of the progress of the work which the Economic Committee is actively conducting with a view to framing one or more conventions relating to the import of live cattle and meat.

After laying down the lines along which the work undertaken should continue, the committee expressed its conviction that the most urgent task was to seek all practical means of eliminating as speedily as possible any impediments

which tend to paralyze international trade, and to facilitate the adjustments necessary for monetary stability and the restoration of credit. It urgently appealed to all the Governments invited to be represented at the Monetary and Economic Conference, to make every contribution in their power to the solution of the present difficulties and to enlighten public opinion as to the necessity of making the concessions indispensable to an international economic understanding, such action being the sole means of restoring normal conditions.

As Dr. Riddell, delegate of Canada, pointed out in the committee, it was possible to discern the gradual growth of a conviction that national solutions were inadequate and that concerted action alone would enable the world to emerge from the present depression. This change of attitude and the slight turn for the better already noticeable seemed to be a good augury for the success of future international action, and to justify the hope that something of real value would be attained at the London Monetary and Economic Conference.

### *Work of the Communications and Transit Organization*

The Second Committee considered a report submitted by M. Schmidt (Estonia) on the work done by the Communications and Transit Organization of the League between the Twelfth and Thirteenth ordinary sessions of the Assembly.

The Advisory and Technical Committee for Communications and Transit, at its session in June, 1932, had reorganized its various permanent committees, and, by a general reduction in the number of members of those committees, a considerable saving has been effected without in any way impairing the competence and initiative of those committees.

Among the questions examined by the Communications and Transit Organization during the past year, mention should be made of the study of an international air network of essential connections, ground organization, the operation of the principal international services, conditions for the admission of foreign undertakings engaged in regular international transport, the progress of international co-operation in the operation of air lines, and certain legal and administrative questions affecting the development of international co-operation in air navigation. The conclusions arrived at after very close discussion are mentioned in the Organization's report, which has been submitted, through the Secretary-General of the League, to the Conference for the Reduction and Limitation of Armaments.

In pursuance of the resolution adopted by the Fourth General Conference (1931) concerning the negotiability of railway transport documents, the Special Committee for the study of this question drew up, at its session in November, 1931, a general report in which it expressed the opinion that it was possible to consider a solution that would give trade and production the transport document they desired for the purpose of facilitating the exchange of goods in international relations and carrying out certain financial operations or measures to be taken in the course of the transport of goods, without imposing on the railways burdens materially greater than those which they are willing to assume.

Considerable progress has been made by the Communications and Transit Organization in its efforts to achieve the unification of transport statistics. The Committee for the Unification of Transport Statistics has completed a general report, including a draft International Convention relating to transport statistics for goods despatched by sea, rail, and inland waterways. The Governments concerned were requested to submit to the Organization any proposals they might think fit to make with regard to the method of applying the principles contained in the report. The Second Committee expressed the hope that, should the examination of the replies received from Governments appear to justify the



summoning of an international conference on transport statistics, the Advisory and Technical Committee for Communications and Transit would take the necessary steps with a view to the convening of such a Conference by the Council.

The Canadian delegate on the Second Committee took advantage of the discussion on Communications and Transit to urge the Secretariat of the League to do something to remove the handicap upon sending telegraphic communications from Geneva to overseas countries. He pointed out the inequality which existed between the tariffs in force for press cablegrams sent from Geneva and those sent from France. The cable companies charged 36 centimes a word across the Atlantic for telegrams emanating from Switzerland, as compared with only 26 centimes for messages originating in France. On a message from Switzerland there was first of all a Swiss terminal charge of 6 centimes a word, then a transit charge through France of 7.5 centimes, and finally a transit charge from France across the Atlantic of 36 centimes, thus making a total of 49.5, almost double the charge on messages from France. The charges on messages from Geneva *via* London aggregated the same total. He suggested that the Communications and Transit Organization should try to improve the situation in view of the loss caused to press associations, on the other side of the Atlantic and more particularly in Canada, and the desirability of facilitating the communication of news from the League of Nations.

M. de Tessen, delegate of France, supported the Canadian delegate and said he hoped that results would be obtained which would prove satisfactory to everyone.

M. Schmidt (Estonia), Rapporteur, observed that the question of rates was one that was familiar to the Communications and Transit Organization and that the latter could be trusted to renew its efforts to reach a satisfactory result.

The Second Committee adopted M. Schmidt's general report with slight amendments and forwarded to the Fourth Committee a resolution expressing the hope "that the Fourth Committee may find it possible to vote, so far as the present situation permits, the funds necessary for the continuance of the activity of the Communications and Transit Organization as required by the task entrusted to the latter, lest the work that it has so fruitfully accomplished in past years be endangered."

### *Work of the Health Organization*

The work of the Health Organization was reviewed by the Second Committee upon the report of Dr. Winter (Czechoslovakia). The Rapporteur observed that the Organization had passed through three stages. In the first stage of its existence the Organization had been obliged to select from among the problems with which National Health Departments are faced those which can be solved along international lines. The second stage was a stage of technical studies—research into leprosy, immunization against diphtheria, etc.,—intended to lead to general conclusions based on the experience of the various countries. The third stage had now been reached, that of action.

The current activity of the Organization included: the scheme of sanitary re-organization prepared by the Greek Government in co-operation with the Health Organization which had led to the creation of the Athens Health Centre; in Bolivia, a study of the health conditions undertaken at the request of that country; the work of the Permanent Commission on Biological Standardization; the work to be envisaged as a result of the South African Government's request regarding a solution for the health problems confronting Central and South Africa (yellow fever), and the co-ordination of the campaign against epidemics in China.

On this last point the Rapporteur recalled that, following on the appeal issued by the Assembly in September, 1931, that the public in all countries should give practical demonstration of its sympathy towards the flood victims in China (numbering some 23,000,000), the Health Organization had been asked by the Council to co-ordinate the international campaign against epidemics and to forward to States Members a request from the Chinese Government for medical staff and sanitary material. Several Governments had generously responded to this appeal and sent to China sera, pharmaceutical products, field laboratories, medical staff and food. Other Governments had offered to supply vaccines but the representatives of the Health Organization in China had intimated that the Chinese laboratories were in a position to prepare this material.

Delegates of Eastern countries paid special tribute to the effective work accomplished by the Eastern Bureau—the outpost of the Health Organization at Singapore—in the campaign against epidemic diseases. The delegate of India, supported by the delegate of China, expressed the hope that, as soon as financial possibilities permitted, the Health Organization would convene in the East a conference on rural hygiene similar to the European Conference which was held in 1931. He emphasized the fact that such a conference would be an excellent means of making known in the East the beneficent influence of the League of Nations. The Second Committee therefore proposed that the Assembly should invite the Health Committee to consider the feasibility of convening such a conference and to present a report on the subject at the next Assembly.

The Hungarian Government proposed to the 1930 Assembly that the study of international reciprocity in the care of the sick should be included in its program of work. It considered that a multilateral convention should be drawn up in virtue of which the sick of foreign nationality would be treated by the contracting States on an equal footing with their own nationals. The Health Committee this year submitted a report on the proposal. The committee found that it would be inadvisable for the moment to contemplate a multilateral convention. It pointed out, however, the possibility of other solutions, and drew attention to the existence of the committee set up by the Council on May 20, 1931, to study in all its aspects the question of assistance to indigent foreigners. It suggested that this committee might be asked to consider possible solutions of the problem raised by the Hungarian Government.

The Second Committee decided to propose that the Assembly should accept these recommendations and should ask the Council to refer the further study of the question to the committee set up in 1931. Assistance to indigent foreigners necessarily entails, if it is to be comprehensive, medical assistance in case of sickness, and hence the question comes within the purview of that committee.

Regarding the report of the Reporting Committee on Maternal Welfare and the Hygiene of Infants and Children of Pre-School Age, observations were made by several delegations on certain points susceptible of interpretations which are contrary to the legislation of several countries as well as to the religious beliefs and moral principles of a large part of their population. In the circumstances, the Second Committee considered that the best procedure would be for the Assembly to invite the Health Committee to consider afresh the above-mentioned report in the light of the observations made, and to request the committee to present a report to the Council at its next session.

It will be remembered that the French Government has offered to create in Paris an International School of Advanced Health Studies under the auspices of the Health Organization. The Chamber of Deputies has already ratified this proposal, and the Second Committee noted with special appreciation the statement of the French delegation that the Senate would adopt the Bill not later than the beginning of November; thus the opening of the school might take place in the near future. It will constitute for the Health Organization a par-



ticularly valuable means of carrying out certain of its aims. When the latter was asked to give its technical help to various Governments, one of the most important problems with which it was faced was that of training medical health officers. Through its system of liaison with the Health Administrations, it sought to give health experts in the various countries an opportunity of keeping in touch with progress made abroad. It endeavoured to organize actual international training by means of collective study tours, individual missions, and exchanges of staff between the Health Administrations. The contact thus established between the health officers of various countries has brought about a valuable interchange of ideas and made possible the comparison of divergent conceptions. The International School of Advanced Health Studies, as planned, will give a permanent character to this system.

#### *Draft Convention on Educational Films*

It will be remembered that, in 1928, the International Educational Cinematographic Institute engaged in investigations with a view to the conclusion of an international agreement designed to encourage the use of educational films and to facilitate their circulation by exempting them from customs duties. A draft Convention had been prepared towards the end of 1929, revised by a Committee of Experts and referred to the governments, accompanied by a recommendation of the Economic Committee of the League. The large majority of Governments consulted declared themselves in favour of the objects of the Convention. Taking into consideration the replies of Governments, a Committee of Experts further revised the draft, which was subsequently placed on the Agenda of the Thirteenth Assembly.

The Second Committee appointed a special committee to introduce further modifications into the draft with a view to facilitating its acceptance. This Sub-Committee submitted to the Second Committee a revised draft Convention embodying amendments proposed by several of the interested Governments.

In the course of the discussion in the Second Committee, numerous delegations signified their approval of the main lines of the new draft and pointed out that the Convention would have the effect of encouraging the production and circulation of educational films which by reason of their character, might contribute to mutual understanding among the peoples in the spirit of the League of Nations.

In view, however, of the considerable changes made by the sub-committee in the draft placed on the Assembly's agenda, regarding which most of the delegations were not able to obtain instructions from their Governments, the Second Committee thought it better not to engage, for the time being, in an exhaustive discussion of the revised draft, but suggested that the Assembly request the Council of the League to convene a meeting at a convenient opportunity. At this meeting the delegates could decide whether the proposed Convention, with or without amendment, should be opened for signature by any Member of the League or any non-Member State. In the meantime, the Governments concerned could send their observations to the Secretary-General.

#### FOURTH COMMITTEE

##### (Budgetary and Financial Questions)

#### *Reorganization of the Secretariat*

The consideration of the budget was preceded this year by a long discussion concerning in particular the reorganization of the higher posts of the Secretariat. This question was finally referred to a Sub-Committee of which Mr. Munro, delegate of Canada, was appointed Rapporteur.

It was at once apparent that the alignment of opinion in the sub-committee did not materially differ from that which existed in the two Committees of



Thirteen and in the Fourth Committee of the Assemblies of the two previous years, and which had resulted in the temporary maintenance of the *status quo*.

Those who advocated the abolition of the posts of Under-Secretary-General argued that it was the best way of removing a certain atmosphere of dissatisfaction due to the fact that all the higher posts of the Secretariat were occupied by nationals of the Members permanently represented on the Council, and that public opinion noted an inconsistency between this kind of monopoly and the principle of the equality of States.

Those in favour of increasing the number of posts of Under-Secretary-General claimed that it would thereby be possible to give representation in the higher ranks of the Secretariat to other geographical groups in addition to those now represented. It would give the ablest officials of the League a better prospect of promotion and stimulate a higher standard of recruitment.

Those, again, who were in favour of maintaining the *status quo* argued that, in view of the imminent changes among the principal officers of the Secretariat, it was particularly unwise at the present moment to modify the existing structure.

In order to reconcile these opposing views and to achieve the unanimity which was so highly desirable, a text was finally adopted which reads as follows:—

#### The Assembly:

Once more affirms the principle that the holders of the highest posts of the Secretariat up to that of Secretary-General should, like all the officials of the League of Nations, be chosen for their abilities, their personal qualifications and the contribution they can make to the performance of the tasks of the League of Nations.

To facilitate the application of this principle and in order to give the Members which are not permanently represented on the Council a larger share in the responsibilities developing on the principal officers of the Secretariat, it decides that there shall be two posts of Deputy-Secretary-General. This would make it possible to assign one of these posts to a national of a Member not permanently represented on the Council in the event of the Secretary-General having been chosen from among the nationals of Members permanently represented on the Council.

The sub-committee agreed that the text should be interpreted as meaning (a) that, should the Secretary-General be a national of a Member permanently represented on the Council, the Deputy-Secretary-General having precedence should be a national of a Member not permanently represented; and (b) that only if the Secretary-General were a national of a Member not permanently represented on the Council could both Deputy-Secretaries-General be nationals of Members permanently represented.

The sub-committee further agreed that the summary of the discussion prepared by the Rapporteur should constitute the official minutes of the sub-committee, and should be available for the use of the Secretary-General, the Council, and any States Members desiring to consult it.

The sub-committee decided to retain three posts of Under-Secretary-General and to consider the Legal Adviser, the character of whose post is non-political, as holding the rank of an Under-Secretary-General.

It also decided that the Secretary-General should be appointed for ten years, the Deputy-Secretaries-General for eight years, and the Under-Secretaries-General for seven years, and that the appointment of the Secretary-

General might be renewed for three years, those of the Deputy-Secretaries-General for five years, and those of the Under-Secretaries-General for a further single period of seven years.

Finally, it agreed that, to give effect to the previous wishes of the Assembly, a more equitable representation of nationalities should be effected: not more than two nationals of any one Member of the League should be included among the higher officials of the Secretariat, including Directors, and this policy should be carried into effect at the earliest possible moment, existing contracts remaining unaffected.

The recommendations of the sub-committee were adopted by the Fourth Committee with the further provision that, in making appointments to the higher posts of the Secretariat, the main geographical divisions should be borne in mind in accordance with the policies followed in other leading bodies of the League.

### *Salaries of the Officials*

The question of the salaries of officials gave rise to much discussion, during which certain delegations expressed the opinion that these were too high, in view of the reduction to which the salaries in almost all national administrations had been subjected. Other delegations, as well as the Supervisory Commission, which had made a special study of the matter, pointed out that the cost of living at Geneva was still "abnormally high," "higher than in the rest of Switzerland and in neighbouring countries," and that they considered the present salaries justified in view of various other considerations such as recruiting of competent staff, expatriation, difficulties regarding promotion.

Several delegates during this discussion raised the question as to whether the Assembly had or had not the right unilaterally to amend the contracts which it had made with its officials. This legal point was referred for consideration to a committee of jurists, which unanimously expressed the opinion that the Assembly had not the right to reduce the salaries unless this right was expressly reserved in the existing contracts.

The Fourth Committee, however, decided to reduce the scale of future salaries. It proposed to the Assembly that, for a period of two years dating from October 15, 1932, and for all future contracts, whether the continuation or renewal of expired contracts or the contracts of new officials, there should be a 10 per cent reduction on the present scale. It further recommended that there should be included in such contracts a clause giving the Assembly the right unilaterally to modify the salaries to be paid.

### *Rationalization of Various Services*

One of the best means of effecting economies seemed to be the rationalization, combination and concentration of various services and activities of the League. The Fourth Committee therefore recommended that the Assembly ask the Supervisory Commission to proceed during the forthcoming year to a detailed examination of possible economies along these lines, subject of course to the reservation that the essential work of the League should in no way be impaired. Any posts which this examination might prove to be superfluous might be abolished by the Secretary-General before the next ordinary session of the Assembly. If more extensive re-organization were to be undertaken, the Secretary-General must first submit the question to the Council for approval.

The Fourth Committee requested the Governing Body of the International Labour Office, which had already undertaken studies on the subject of rationalization and taken certain steps to this effect, to assist the Supervisory Commission when it came to deal with the International Labour Office and its co-operation with the Secretariat.

### Contributions in Arrears

During the general discussion which took place in the Fourth Committee, various delegates drew attention, with reference to the League's present financial situation, to the contributions in arrears.

This question was studied by a special sub-committee which submitted a confidential report. Upon receiving this report, the committee, after noting with interest and regret that a certain number of States had not fulfilled their financial obligations to the League, requested the Assembly to make an appeal to all the States Members to pay up their contributions in arrears without delay and urged the Secretary-General to continue to make every effort to recover these arrears.

## Budget for 1933

As the delegations had had an opportunity to express their views and formulate their suggestions regarding the expenditure of the League, the examination of the budget was not preceded by a further general discussion. When the estimates for the Health Section were under consideration, the Secretary-General, replying to an observation, pointed out that the activities of that section were based on a special Article of the Covenant and that the work it had undertaken was of great importance, particularly in the case of certain overseas countries which derived no direct benefit from the political activities of the League.

The committee approved the budget of the League of Nations for the year 1933 amounting to 33,429,132 Swiss francs and distributed as follows:—

Secretariat and Special Organizations of the League.. . . .	17,322,459
International Labour Office.. . . .	8,851,972
Permanent Court of International Justice.. . . .	2,660,196
International Nansen Office for Refugees.. . . .	297,763
Buildings at Geneva.. . . .	2,034,659
Pensions.. . . .	1,829,906
Working Capital Fund.. . . .	432,177
Total.. . . .	<hr/> 33,429,132

It should be noted that, in spite of the credits for the Disarmament Conference and a fresh credit of 435,900 francs for purposes of the World Monetary and Economic Conference, the 1933 budget shows a reduction of more than 200,000 francs compared with that of 1932.

### Allocation of Expenses

It was suggested that in preparing the new draft scale for submission to the 1934 Assembly the Committee on Allocation of Expenses should take account of the items of the national budgets connected with international relations with special reference to the amounts budgeted for foreign affairs, national defence, and political and commercial propaganda.

The Chairman of the Committee on the Allocation of Expenses undertook to bring these suggestions to the notice of the committee.



## FIFTH COMMITTEE

## (Social and Humanitarian Questions)

*Penal and Penitentiary Questions*

The Twelfth Assembly decided to consult a number of international organizations dealing with these questions, and in particular to ask them how the League of Nations could be of assistance in achieving a gradual unification of criminal law and the co-operation of States in the prevention and suppression of crime. The views of these organizations were submitted to the Fifth Committee of the Thirteenth Assembly, which took no decision thereon as they are to be transmitted to the Governments in accordance with the decision of the Twelfth Assembly (see Report of the Canadian Delegates, 1931, page 24).

As regards penal administration—the original question brought before the Eleventh Assembly—no progress was made, as the International Penal and Penitentiary Commission has not completed the revision of the standard minimum rules for the treatment of prisoners which the Twelfth Assembly asked it to undertake. The whole question of the League's activity in this connection will therefore come up for review at the next Assembly.

*Protection and Welfare of Children and Young People*

The Fifth Committee discussed at length certain questions of interest to both the Traffic in Women and Children Committee and the Child Welfare Committee, which together constitute the Advisory Commission for the Protection and Welfare of Children and Young People. These were: the reorganization of the Advisory Committee, the budgetary provision made for the social work of the League, and the methods of obtaining more publicity for this work.

On the first question no decision was taken, as the matter is under consideration by a sub-committee. As regards the budget, the Fifth Committee addressed an appeal to the Fourth Committee and another to the Assembly, drawing attention to the importance of this aspect of the League's work and expressing the hope that sufficient funds would be allotted for it. On the question of publicity, a resolution was adopted requesting the International Federation of League of Nations Societies and the international organizations represented by assessors on the Advisory Commission to give special attention to this matter.

The Fifth Committee did not discuss the work of the *Child Welfare Committee* in any detail, but simply took note of its report. It considered that the Child Welfare Committee should study the question of desertion of the family, which presents certain international aspects. It also adopted a resolution urging the States Members of the League to redouble their efforts to assist, through public authorities and private organizations, the children who are suffering most from the effects of the economic crisis.

The Fifth Committee associated itself with the hope expressed by the *Traffic in Women and Children Committee* that the Convention of 1921 for the Suppression of the Traffic in Women and Children would soon be more widely ratified. The principal questions considered recently by the Traffic in Women and Children Committee are the proposed abolition of the age-limit in the 1921 Convention, which has been found to put difficulties in the way of punishing traffickers, and the measures to be taken to repress the activities of souteneurs. The Fifth Committee considered it desirable that the 1921 Convention should be revised simultaneously on both of these points, and asked the Traffic in Women and Children Committee to study the best means of achieving this end. As some time will elapse before the revision can be accomplished, the Fifth Committee asked Governments in the meantime to make the necessary changes in their national legislation to ensure the punishment of the traffickers, even if their victims are over age and consent.

### *Traffic in Opium and Other Dangerous Drugs*

The Fifth Committee noted with pleasure the progress of the ratification of the 1925 Opium Convention, and emphasized the importance it attached to the bringing into force of the 1931 Convention for limiting the manufacture and regulating the distribution of narcotic drugs. In this connection it welcomed the announcements made by some eighteen delegates of their Governments' intention to ratify. The Canadian delegate explained that the formal ratification by Canada would be completed in a few days.\* On the proposal of Mme. Frémont, the Canadian delegate, the Committee adopted a resolution urging that the States that had not signified their intention as regards ratification should become parties to the Convention with the least possible delay.

The Fifth Committee drew the attention of the Fourth Committee and the Assembly to the necessity of providing sufficient funds to meet the expenses entailed by the putting into force of the 1931 Convention, and also to enable the Advisory Committee to meet twice yearly and to provide for the printing of its minutes.

Satisfaction was expressed with the progress made by the Advisory Committee and the Secretariat in the preparatory work for a conference on the limitation of the production of opium and the cultivation and harvesting of the coca-leaf. The Secretariat was authorized to ask each Government for any information that it might consider essential to ensure that the technical preparations for this conference should be as thorough as possible.

The results of the Bangkok Conference on Opium-Smoking were discussed by the Chinese delegate, who expressed his Government's regret that the Governments represented at this Conference had not taken stronger measures for the suppression of the opium-smoking habit and the manufacture of and trade in prepared opium. The Chinese Government considered that the monopoly system encouraged opium-smuggling, since the sale price of opium, in countries where there is a monopoly, is generally much higher than the price of contraband opium.

The delegates of States represented at the Bangkok Conference repeated the view expressed in the Final Act of the Conference that no radical measures for the suppression of opium-smoking were practicable while the production of opium continued on an enormous scale, and while large quantities of opium were smuggled into their territories. They considered that prohibition would merely result in the substitution of the use of smuggled opium, or even more dangerous drugs, for that of monopoly opium. They outlined the measures taken by their Governments looking toward the gradual suppression of opium-smoking in their Far-Eastern territories.

The Fifth Committee, realizing the difficulties encountered both by the Chinese Government and by the States signatories of the Bangkok Agreement, thought that the solution of the problem should be sought, not in systematically opposing the two views, but in closer and more continuous co-operation between all the Governments concerned.

### SIXTH COMMITTEE

#### (Political Questions)

### *Protection of Minorities*

In pursuance of the resolution adopted by the Assembly on the motion of the German delegation, the Sixth Committee devoted two meetings to the examination of that part of the Secretary-General's report on the work of the League since the last session of the Assembly which concerns the protection of minorities.

---

\*The instrument of ratification was deposited at the Secretariat on October 17, 1932.

The usual difference of opinion was manifest among the delegations as to the relative competence of the Assembly and the Council to deal with minorities questions. The delegations of Greece, Poland, Roumania, Czechoslovakia and Yugoslavia declared that, under the Minorities Treaties, the right to judge as to whether the treaties were improperly applied was within the competence of the Council alone.

Several speakers reaffirmed the principle on which agreement was unanimous in 1930, that the solution of the minorities problem was to be found in constant co-operation and mutual confidence between the majority and the minority in each country. While minorities had rights, they also had duties toward their respective States.

In the opinion of the Polish delegation, the League's task in regard to the protection of minorities could never give complete satisfaction to the moral conscience of the world until two conditions had been fulfilled, namely, that the claims of minorities should never be inspired by reasons unconnected with their object, and that all minorities should be protected. Further, the opinion was expressed that the Sixth Committee could, with advantage, give its opinion in the case of minorities not protected by special treaties.

The German delegation laid great stress on the need for establishing a procedure which would, in practice, more effectively ensure the protection of minorities, and suggested the creation of a body consisting of persons independent of the States which have signed undertakings in regard to minorities to advise the Minorities Committees or the Council when desired. The opinion of delegations in regard to this policy was divided.

Emphasis was laid by several delegations on the great importance of publicity in the protection of minorities. In the German delegation's opinion, the number of decisions of Committees rendered public has constituted only a very small fraction of the total of decisions taken and these related almost exclusively to questions of slight importance or to matters in which the opinion formulated was favourable to the Government concerned. It was pointed out by the Yugoslav delegation that the Governments concerned were sometimes obliged to refuse publication because the petitions in question contained, in their opinion, elements of propaganda.

Observations were also made to the effect that the provision in the Madrid resolution relating to the constitution of Minorities Committees of five members should be interpreted in as broad a sense as possible, and that—as is also contemplated in the Madrid resolution—the Committees should hold meetings between Council sessions more often than has hitherto been the case.

Finally, certain delegations emphasized the importance of Minorities Committees making use of any information they considered appropriate, and of bearing in mind that it was in their power to hear petitioners and to consult experts.

The Norwegian delegation proposed that it would be desirable for the Minorities Section of the Secretariat to collect the fullest possible documentary material and information, so as to avoid any needless delay in the examination of questions by the Committees and to lessen the burden laid on the Governments concerned by repeated requests for further information. This proposal was supported by several other delegations during the discussion.

### *Mandates*

The Sixth Committee observed that, thanks to the efforts of the mandatory Powers and the able and impartial co-operation of the Permanent Mandates Commission, the mandate system has continued to produce excellent results. This is strikingly illustrated by the case of the Kingdom of Iraq, to which it has been possible to grant complete independence and admission to the League, the final stage in the system provided by Article 22 of the Covenant.



The Committee devoted particular attention to the problem of the determination of the frontier between Iraq and Syria. It noted that this question had been settled by the Council, subject to the opinion of the Permanent Mandates Commission.

There was a short discussion of the position in Western Samoa and in the Pacific Islands under Japanese mandate. The delegates of New Zealand and Japan were able to give the committee reassuring information.

Several delegates expressed regret that, owing to a decision of the Twelfth Assembly, the number of sessions of the Permanent Mandates Commission had been reduced from two to one for the year 1932. The Sixth Committee recommended that this decision should not in future be renewed, even as an exceptional measure, inasmuch as it would have the result of seriously hampering the effective and regular performance of the important duties entrusted to the League of Nations by Article 22 of the Covenant.

#### *Commission of Enquiry for European Union*

A Report on the Commission of Enquiry for European Union was submitted to the Sixth Committee by M. Motta, Vice-Chairman of the Commission, who emphasized in particular the conclusions of the Stresa Conference.

The viewpoint of extra-European States was expressed by Sir Donald Cameron, delegate of Australia, who emphasized the necessity for the League, as a universal agency, to consider and safeguard the interests of countries in all parts of the world.

The Sixth Committee invited the Commission to proceed with its work in conformity with the principles laid down in the Assembly resolution of September 17, 1930, and requested the Commission to report at the next Ordinary Session of the Assembly.

#### *Slavery*

On the recommendation of the special Committee of Experts on Slavery set up under the Council resolutions of September 29, 1931, and January 28, 1932, the Sixth Committee agreed that a permanent advisory Committee of Experts on Slavery should be constituted.

This committee will consist of seven members chosen solely for their special knowledge of slavery questions, all the members being of different nationalities.

The duties of the committee, which will meet once every two years, will be to study and examine the documents supplied or transmitted by Governments to the Secretariat in regard to slavery; to study on the basis of such documents and of the special knowledge of its members, the facts and institutions mentioned in Article 1 of the Slavery Convention of 1926; to study the means of gradually abolishing these institutions or customs, or of causing them to develop in such a way as to deprive them of any objectionable features; and to examine the assistance which the League of Nations could give to countries where slavery still exists.

It is understood that, in agreeing to the setting up of this committee, the Governments parties to the Slavery Convention of 1926 do not assume any obligation of such a nature as to modify those they have entered into in virtue of the Convention.

The Assembly approved this proposal and requested the Secretary-General to include in his draft budget for 1934 the necessary credit for this committee. In the meantime, the Council was requested to take all measures not requiring budgetary credits which would assist in the carrying out of the decisions taken.

#### *Refugees*

The Sixth Committee had under consideration the report of the Governing Body of the Nansen International Office for Refugees dealing with many aspects of the refugee problem and surveying the measures taken and contemplated by

the Office from the beginning of its activities to June 30, 1932. The Committee listened to a statement by Dr. Max Huber, the President of the Governing Body, in which he outlined the results achieved during this period, and the task which still lay before the Office.

The committee noted with satisfaction the important work done for distressed refugees, and requested the Nansen Office to examine the possibility of effecting the transfer from other countries to the Armenian Republic of a further 20,000 Armenian refugees who had expressed the desire to be settled there.

To carry out this plan, the committee recalled the offers of financial and other assistance which had previously been made by various Governments in connection with the Erivan Settlement scheme initiated by Dr. Nansen, and invited them to consider placing such financial assistance at the disposal of the Office. The various National Committees were recommended to resume their efforts for obtaining such funds, and Governments that had not done so were invited by the committee to nominate committees for this purpose. The committee also requested the Nansen Office to try to alleviate the unfortunate situation of the 20,000 Russian refugees in China rendered destitute by recent floods. It also expressed the hope that various private organizations interested in refugee work would agree to co-operate with the Office as far as possible.

In order to place more adequate funds at the disposal of the Office, the committee again recommended that Governments should apply more fully the Nansen Stamp System. Finally, the Committee urged Governments not to proceed to the expulsion of a refugee unless he had obtained permission to enter another country.

### *Intellectual Co-operation*

The work of the International Organization for Intellectual Co-operation was reviewed by the Sixth Committee upon the report of M. Bech delegate of Luxemburg.

The committee noted with satisfaction the results achieved in the past year and approved as a whole the program of work for the year 1932-33.

The committee attached great importance to the documentary material collected by the International Committee on Intellectual Co-operation regarding the efforts made to establish a procedure for facilitating the revision of school textbooks. It also emphasized the importance of promoting an international spirit through the proper instruction of youth in the aims of the League.

Appreciation was also expressed of the assistance given by the International Committee on Intellectual Co-operation to China in her efforts to re-organize her system of education, and the committee hoped that this co-operation would be further extended and lead to practical results.

The conditions which international agreements concerning broadcasting should fulfill were also examined, and were held by the Committee to be of special importance.

In the field of moral disarmament the committee expressed its satisfaction with the co-operation which the International Committee on Intellectual Co-operation had been able to give to the Conference for the Reduction and Limitation of Armaments, and hoped that the latter would adopt measures which would assist the intellectual *rapprochement* between peoples.

The committee further stressed the importance of the scientific study of international relations, and expressed the hope that the International Committee on Intellectual Co-operation would extend its activities in this sphere and endeavour to give wide publicity to the results of conferences such as the Milan Conference held last May on the problem of the intervention of the State in economic life.

Recognizing also the important part played by the National Committees on Intellectual Co-operation, the committee stressed the necessity of affording

these committees additional means of carrying out the numerous tasks which they have to perform.

The committee further approved the resolution of the International Committee on Intellectual Co-operation concerning the preservation of historical monuments and works of art, as recommended by the Athens Conference.

Finally, the committee took note of the work done by the International Educational Cinematographic Institute and expressed the hope that its activity would be extended and wider use made of the cinema as a means of disseminating information in favour of the League's work.

### *Co-operation of the Press in the Organization of Peace*

The question of the collaboration of the Press in the organization of peace, which was the subject of an Assembly resolution in 1931, came before the Sixth Committee as the result of a Council decision to have a report prepared on the subject of "the dissemination of false information which may threaten to disturb the peace or the good understanding between nations."

A valuable contribution to the subject had been made by the Conference of Directors of Press Bureaux and Press Representatives at Copenhagen in January this year, and the problem had also been made the subject of consultation between the Secretary-General and various Press Organizations. It was generally agreed that two broad objects to aim at were greater independence of the press from outside control and greater freedom of access to news.

In the course of the Sixth Committee's discussion, several delegates suggested that the Governments might consider certain of the mechanical facilities suggested to meet difficulties such as those experienced by more distant countries in obtaining foreign news. This was a problem specially noted by the Roumanian delegate, and it bears close relation to the observations of the Italian and French delegates on the necessity for educating public opinion in international affairs.

The French delegate said he knew of no case in which a journalist had deliberately disseminated false news. It was possible to have tendentious and distorted or inspired news, news given undue prominence by suggestive headlines, incorrect news issued by Governments or Press Bureaux, or news fabricated by semi-official representatives of Press Bureaux which might mislead the most honourable journalists. A problem which was more serious than the dissemination of false news was the suppression of the truth.

The committee expressed the hope that a further conference, organized on similar lines to that held at Copenhagen, might be called to consider ways and means of assuring greater provision of accurate information, freedom of the press, and co-operation between the press organizations of the various countries.

The committee advocated the fullest possible publicity in connection with League meetings, the earlier and more complete distribution of documents, the supply to the press of the fullest possible information concerning the work of the League, and requested the Council to consider the possibilities of affording to journalists cheap facilities for communicating information to their newspapers through the League wireless station.

### *Collaboration of Women in the Organization of Peace*

The Twelfth Assembly, at which the question of the collaboration of women in the organization of peace had been raised for the first time, had limited itself to the question of unofficial collaboration, as it had considered that official collaboration had already been settled by Article 7 of the Covenant, which stipulates that "all positions under or in connection with the League, including the Secretariat, shall be open to men and women."

The Sixth Committee of the Thirteenth Assembly was of the opinion that, as the Women's Organizations' memoranda were unanimous in attaching the greatest importance to official collaboration, it was justified in reconsidering



the line taken last year. Several speakers emphasized the view that the best way to secure the full collaboration of women in the work of the League was to increase the possibility of their taking an official part in its proceedings. They recognized that this possibility was already given by Article 7 of the Covenant but that experience had shown that the opportunities offered by this Article had not been taken advantage of in many countries.

The Hungarian delegate thought that Government should maintain a more intimate contact with Women's Organizations. In some countries, women's organizations were consulted already as to their views in regard to social questions brought before the League, but this custom might well be extended to all League problems.

The delegate of the United Kingdom considered that as the number of women qualified to fill higher posts was still small, Governments might be asked to grant women the same possibility as men of gaining the necessary knowledge and experience.

The Spanish delegate and several others insisted on the intimate connection which existed between the question of women's status and that of the effective collaboration of women in the work of the League.

On the proposal of the delegate of France, a resolution was adopted reminding Governments that the women's organizations consulted were unanimous in declaring that equal status between men and women was a pre-requisite in the collaboration of women in the work of the League, that this collaboration could be most effectively exercised through the competent official organs of the League and of the Governments, and that Article 7 of the Covenant offered the possibility for the Governments to appoint women to their delegations, for the Council to appoint women on technical committees, and for the Secretary-General to include women in the higher posts of the Secretariat.

The reports of the committees were duly approved at plenary meetings of the Assembly. The conclusion of the Assembly was delayed by the prolonged proceedings of the Fourth Committee for some days after the other committees had completed their work. The session ended on the 17th October, having lasted three weeks and one day.

We are, etc.,

C. H. CAHAN.

H. F. MUNRO.

THAÏS LACOSTÉ FRÉMONT.

W. A. RIDDELL.









EA  
R21

REPORT

OF THE

CANADIAN DELEGATES

TO THE

FOURTEENTH ASSEMBLY OF  
THE LEAGUE OF NATIONS

---

GENEVA

SEPTEMBER 25 - OCTOBER 11, 1933



OTTAWA  
J. O. PATENAUDE  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1933

*Price, 10 cents*





REPORT  
OF THE  
CANADIAN DELEGATES  
TO THE  
FOURTEENTH ASSEMBLY OF  
THE LEAGUE OF NATIONS

---

GENEVA

SEPTEMBER 25 - OCTOBER 11, 1933



OTTAWA  
J. O. PATENAUDE  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1934

## TABLE OF CONTENTS

	PAGE
OPENING OF THE ASSEMBLY.....	3
ORGANIZATION OF THE ASSEMBLY.....	3
GENERAL DEBATE.....	4
ELECTIONS TO THE COUNCIL.....	6
FIRST COMMITTEE—	
Amendment of the Covenant.....	6
System of Election to the Council.....	6
Simplification of the Procedure of the Assembly.....	7
Nationality of Women.....	7
Penal and Penitentiary Questions.....	7
SECOND COMMITTEE—	
Economic and Financial Problems.....	8
Work of the Communications and Transit Organization.....	9
Work of the Health Organization.....	9
Assistance for Refugees from Germany.....	10
THIRD COMMITTEE—	
(Not constituted).	
FOURTH COMMITTEE—	
Financial Position of the League.....	11
Contributions in Arrears.....	12
Budget for 1934.....	13
Rationalization.....	13
FIFTH COMMITTEE—	
Penal and Penitentiary Questions.....	14
Protection and Welfare of Children and Young People.....	14
Traffic in Opium and Other Dangerous Drugs.....	15
SIXTH COMMITTEE—	
Protection of Minorities.....	16
Mandates.....	17
Nansen Refugee Office.....	18
Slavery.....	19
Intellectual Co-operation.....	19
Co-operation of the Press in the Organization of Peace.....	20
APPROVAL OF COMMITTEE REPORTS AND RESOLUTIONS.....	20

## Report of the Canadian Delegates to the Fourteenth Assembly of the League of Nations

---

OTTAWA, December 7, 1933.

Right Honourable R. B. BENNETT, K.C., M.P.,  
Secretary of State for External Affairs,  
Ottawa, Canada,

SIR,—We have the honour to submit the following report on the proceedings of the Fourteenth Ordinary Session of the Assembly of the League of Nations which was held in Geneva from September 25 to October 11, 1933.

Fifty-four of the fifty-seven States Members of the League were represented at the opening of the Session, those absent being the Argentine Republic, Honduras, and Japan. During the course of the Assembly, the Argentine Republic definitively acceded to the Covenant of the League.

The Canadian delegation consisted of the Honourable Robert J. Manion, Minister of Railways and Canals, Senior Delegate; the Honourable Philippe Roy, Canadian Minister to France; and Dr. Walter A. Riddell, Dominion of Canada Advisory Officer accredited to the League of Nations. The Honourable G. Howard Ferguson, High Commissioner for Canada in the United Kingdom, who was appointed a member of the delegation, was unable to attend owing to the pressure of other business. M. Jean Désy, Counsellor of the Canadian Legation at Paris, acted as alternate delegate. Dr. Paul E. Renaud acted as Secretary to the delegation.

The proceedings of the Assembly were, in accordance with precedent, opened by the Acting President of the Council, who was in this case M. Mowinkel, delegate of Norway. In his opening speech, M. Mowinkel regretfully acknowledged that the position of the League in public opinion had not improved since the Assembly last met. The public, he felt, was interested not so much in the day-to-day work of the League as in its power to establish a better understanding between nations and to safeguard peace, and it had to be admitted that the ever present possibility of war was a constant menace. Fifteen years after the close of that fratricidal crime, the world war, we find to our shame, he declared, that we have made little progress towards securing a better understanding among peoples. The Disarmament Conference and the Monetary and Economic Conference had been expected to do much to further the cause of peace, but the results were negative rather than positive and helped to spread discouragement and disillusionment. M. Mowinkel welcomed the conclusion, within the framework of the League, of the Four-Power Pact and, in closing, expressed gratification at the close co-operation extended by the United States of America to the League during the year.

### ORGANIZATION OF THE ASSEMBLY

The election of the officers of the Assembly resulted as follows:—

*President:* Mr. C. T. de Water (South Africa).

#### *Vice-Presidents*

M. Daladier (France).	M. Castillo Najera (Mexico).
Sir John Simon (United Kingdom).	Baron von Neurath (Germany).
Baron Aloisi (Italy).	Ali Khan Foroughi (Persia).



It was decided that, in view of the fact that the Disarmament Conference was still in session, it would not be necessary this year to convoke the Third Committee of the Assembly, which usually deals with questions of disarmament. The remaining Committees were convened as usual, under the chairmen named:—

*First Committee:* M. Motta (Switzerland).

*Second Committee:* Count Carton de Wiart (Belgium).

*Fourth Committee:* M. Fotitch (Yugoslavia).

*Fifth Committee:* Mlle. Hesselgren (Sweden).

*Sixth Committee:* M. de Madariaga (Spain).

*Agenda Committee:* M. Mikoff (Bulgaria).

*Credentials Committee:* M. Salmis (Latvia).

The Chairmen of these Committees together with the six Vice-Presidents of the Assembly formed the General Committee or Bureau of the Assembly.

The Canadian delegation was represented on the Committees as follows:—

*First Committee:*

Hon. R. J. Manion.

M. Jean Désy.

*Fourth Committee:*

Hon. Philippe Roy.

Hon. R. J. Manion.

*Second Committee:*

Dr. W. A. Riddell.

Hon. Philippe Roy.

*Fifth Committee:*

M. Jean Désy.

Dr. W. A. Riddell.

*Sixth Committee:*

Hon. R. J. Manion.

Hon. Philippe Roy.

The Hon. Philippe Roy was appointed by the Assembly as one of the six members of the Agenda Committee. Dr. W. A. Riddell was elected Vice-Chairman of the Fifth Committee.

#### GENERAL DEBATE OF THE ASSEMBLY

The general debate on the work of the League of Nations during the past year was considerably shorter than usual. Delegates of the United Kingdom, Austria, Canada, Sweden, India, China, Netherlands, Haiti, Uruguay, Greece, Latvia, Irish Free State, Spain, Portugal, France and Persia spoke in the order named.

Sir John Simon (United Kingdom) referred to the immense services which the League continues to render to the world, instancing the work of the Mandates system in watching over the development of backward races, the effective and useful work of the League Health Organization, the noble work of the League in promoting the protection and the welfare of children and young people and its unceasing warfare against that frightful scourge of humanity—the drug traffic. He referred briefly to the signs of economic recovery but pointed out that there could be no lasting economic improvement unless a Disarmament Convention were first achieved. The Disarmament Conference was agreed in principle to the plan of reaching disarmament by stages, but he stressed the importance of proceeding to the conclusion of a Disarmament Convention without delay. Such a Convention would be a stimulus to greater confidence—the confidence which arises not only from the pledge but from the proof of neighbourly relations.

Dr. Dollfuss (Austria), who was received with a spontaneous outburst of applause, spoke on Austrian independence with a calm deliberation that expressed his determination to preserve it. Austria was determined to follow the path of independent existence and economic development, counting on the friendly co-operation of the other Powers and appealed to the League to encourage her efforts by its high moral authority. This involved not merely the economic consolidation of Austria, but the economic reconstruction of the Danube Basin.

The Hon. R. J. Manion, on behalf of the Canadian delegation, made a plea for greater speed in the work of disarmament. He did not wish to minimize the accomplishments of the League of Nations in various fields of international co-operation; but it was important to distinguish between its primary and secondary functions, as contemplated in the Covenant. The main objective of the League was to preserve peace among the nations of the world and, at the present time, the conclusion of a disarmament convention was the most important aspect of this task. In this connection, every effort should be made to dissociate armament making and private profit. The question should also be considered whether there had not in the past been too much insistence on security as a preliminary to disarmament, and whether, if an advance could be made in the direction of disarmament, progressive security would not follow. In any case, until the nations accepted in principle and adopted in practice the view that war as a method of settling international disputes should be outlawed and such disputes settled by pacific means, civilization would be in danger of complete destruction.

Sir Brojendra Mitter (India) drew attention to the League's achievements during the year, referring particularly to the undramatic but beneficent work of the Health Organization at Singapore, the expert assistance to Siam in connection with the development of its harbours, and the League's co-operation in technical matters with the Chinese Government. He alluded to the increasing boldness of the League's detractors but thought their criticism would carry more weight if they had any alternative machinery to suggest.

A sense of disillusionment in the efficacy of the League as a certain factor in the preservation of peace pervaded the speech of Dr. Wellington Koo (China). The events in Manchuria were evidently the prime cause of this disillusionment. Dr. Koo feared that so long as "this glaring case of Covenant breaking" was not settled in accordance with established principles of international law and existing treaty obligations, it would remain a stumbling block in the path of new international agreements for economic and military disarmament.

Jonkheer de Graeff, the Netherlands delegate, referred to the problems presented by the large number of German nationals who had during recent months taken refuge in neighbouring countries and were adding to local unemployment. Without interfering in German domestic matters or inquiring into the reasons why these German citizens had fled, he urged that it was a problem which fell within the province of the League. He therefore proposed a resolution requesting the Council to take the necessary measures for instituting a system of international collaboration.

It seemed to M. de Madariaga (Spain) a sign of political anarchy that, while the Council and the Assembly had been trying to settle grave dissensions and the Disarmament Conference had been trying to bring about a reduction in armaments, arms had been supplied to the countries in conflict. The value of arms exported in the world between 1920 and 1930 had amounted to \$616,000,000. Critics said the League had failed, but it had not yet been tried. It was necessary to return to its essential principles.

Replying to M. Mowinkel, M. Paul-Boncour (France) said the peoples had suffered so much from the effects of force that they would trust the League if the League had confidence in itself. Not force, but the procedure of the League

was their common safeguard. If the four Great Powers met to debate among themselves, those who were not represented tended to regard this as arrogating to themselves the right to settle questions belonging to the Assembly as a whole. Yet they were continually being told that progress was delayed because the Great Powers had not agreed first upon a common line. In spite of existing anxiety certain important regional agreements had been reached—the Four-Power Pact, the Pact of the Little Entente, and the Pacts of Non-Aggression.

Mr. O'Kelly (Irish Free State) declared that, notwithstanding its achievements in many spheres of activity, the record of the League during the past year, as it appears to the world, is a record of three reverses—the Sino-Japanese Dispute, the Disarmament Conference, and the Economic Conference. He felt that the responsibility for the failure of the League must lie largely with the Great Powers, who, owing to their importance and their resources, exercise a decisive influence in the world. He felt, also, that the League must face its difficulties frankly and courageously because there is no alternative to failure save international anarchy.

The German delegation submitted in writing a draft resolution, which was adopted, to the effect that the general question of minorities should be referred to the Sixth Committee.

On September 30 the Italian delegation circulated to the delegates of the other leading Powers a memorandum on the economic consolidation of the Danube Basin. It was understood to be a series of suggestions for putting into practice the conclusions of the Stresa Conference of September, 1932, such as preferential tariffs for cereals in all the Succession States, and preferential treatment for Austrian industrial products.

#### ELECTIONS TO THE COUNCIL

The three non-permanent seats on the Council, made vacant by the retirement of Guatemala, the Irish Free State and Norway, were filled on October 2nd by the election of the Argentine Republic, Australia and Denmark. A week later Portugal was elected to the additional seat created on the Council.

#### FIRST COMMITTEE

##### (Legal and Constitutional Questions)

##### *Amendment of the Covenant*

The question of the "Amendment of the Covenant of the League in order to bring it into harmony with the Pact of Paris," which normally should have come before the First Committee, was withdrawn from the agenda, as the work of the Disarmament Conference, with which the question was connected, had not advanced sufficiently far to make it possible to carry out the preparatory study necessary for the discussion.

##### *System of Election to the Council*

The First Committee had before it the report of the Special Committee which was appointed in 1931 to study the existing system of election to the Council.

The principal purpose of the creation of the Special Committee was to examine the possibility of providing a remedy for the fact that the existing nine non-permanent seats on the Council were occupied in practice by States belonging to certain groups, and that there thus remained some ten to fifteen Members of the League which had no prospect of membership on the Council.

The Special Committee, on which Canada was represented, decided to propose a solution which would have the effect of giving provisional recogni-



tion to the claim of the non-grouped States. It therefore recommended that, for the period beginning with the election of the non-permanent Members of the Council at the Assembly's session of 1933 and ending with the election of their successors in the year 1936, the number of non-permanent seats on the Council should be provisionally increased from nine to ten.

This recommendation of the Special Committee was approved unanimously, and without discussion by the First Committee and later by the Council.

The Special Committee further recommended a change in procedure—namely, that candidates for election to the Council should be publicly nominated in writing before the election. This recommendation was also adopted unanimously by the First Committee. The system of previous nomination will come into force when the elections are held at the next ordinary Assembly.

#### *Simplification of the Procedure of the Assembly*

On the proposal of the Secretary-General of the League of Nations, the First Committee adopted, as an experiment, two new measures designed to shorten the duration of the Assembly.

In the past, almost invariably the session of the Assembly has had to be prolonged owing to the inability of the Fourth Committee to complete its discussions in time. In order to give this Committee the period normally necessary for its work, it was decided by 15 votes to 7 and three abstentions that it may be convened one week before the formal opening of the Assembly.

The other measure had for its object the shortening of the existing procedure by which a certain number of plenary meetings of the Assembly were held merely for the presentation and adoption of reports which required no discussion. The First Committee recommended that these reports should be adopted by the Assembly without further formality than the reading of their titles by the President.

#### *Nationality of Women*

The question of the Nationality of Women was placed on the agenda of the Assembly at the request of the Chilian Government.

The representative of Chile proposed that the Assembly should invite Governments before its next ordinary session to express their opinion as to the advisability of confirming the principle of the equality of sexes as regards nationality by a protocol open to the signature of States.

The delegates of the United Kingdom, Germany, Italy, Australia, Canada and some other countries noted that this proposal was a reversal of the procedure laid down by the previous Assembly which instructed the Council to follow the question and to decide at what moment it should be considered. They declared that they were not prepared to agree to such a reversal of policy, but that, in order to avoid giving the impression of formal opposition, they would abstain from voting.

As a compromise, the representative of France proposed that the Chilian draft should be replaced by the following text, which was adopted unanimously:—

“The Assembly..... expresses the hope that, before the next session of the Assembly, the Governments will have put the Secretary-General in a position to communicate to the Council the information as to the effect which they have found it possible to give to recommendation No. VI of the Codification Conference.”

#### *Penal and Penitentiary Questions*

The questions of unification of criminal law and co-operation of States in the prevention and suppression of crime were discussed. Some delegations

urged the need for securing common action by all countries in the campaign against crime by standardizing the means of social defence. Other delegations, however, thought that unification could only be conceived in the case of countries whose legislations were based on identical legal principles derived from a common source and which possess the same social conceptions and traditions. They expressed the opinion that the only method by which useful results in this sphere might be obtained consisted in studying each particular question separately, if it was of international interest, as and when the need arose. This view was supported by the Canadian delegate on the Committee.

In view of the divergencies in the opinions advanced, the Committee considered that the surest way of obtaining concrete results in this field would be to adopt the following procedure:—

“When the work of (the technical) organizations leads to definite proposals, the League of Nations may intervene with the object of securing the possible conclusion of international conventions if the proposals referred to answer to real needs recognized as such by the organs of the League—in which case, the procedure would be that normally followed in the conclusion of conventions under the auspices of the League of Nations.”

## SECOND COMMITTEE (Technical Organizations)

### *Economic and Financial Problems*

Following the procedure of last year, the Second Committee decided not to deal with financial and economic questions separately, but to submit a single report to the Assembly.

Before touching upon particular problems the Committee heard a statement by Mr. Loveday, Director of the Financial Section of the Secretariat, on the general economic situation. This survey indicated that economic conditions generally were improving. Mr. Loveday said that on the basis of the information received by the League remarkable progress had been achieved in the last year. There had been an almost general rise in industrial production, estimated at 30 per cent for the entire world excluding Soviet Russia. The rapid contraction of international trade would appear to have been checked, and the value of trade in terms of gold for July was greater than at the corresponding period of last year. At the conclusion of his statement Mr. Loveday pointed out that there might be some seasonal falling off during the winter.

The Second Committee then took note of the results of the Monetary and Economic Conference. In a report approved by the Assembly the Committee noted that the Conference had adopted a number of important resolutions, the chief object of which was to affirm:—

That it is in the interests of all concerned that stability in the international monetary field should be attained as quickly as practicable;

That gold should be re-established as the international measure of exchange values, time and parity being for each country to determine;

That it is undesirable to put gold coins or gold certificates into internal circulation;

That greater elasticity should be given to Central Bank legal reserve provisions.

The report goes on to state that the last resolution adopted by the Conference relates to the use of silver for monetary requirements and mentions in this

connection that an agreement has been concluded between silver-producing countries and countries which possess large stocks of this metal, with a view to putting a stop to price fluctuations.

The report notes that it is probable that the discussions relating to the possibility of co-ordinating the production and sale of wheat, timber, coal, copper and tin will be continued or renewed shortly, and expresses the hope that they may lead to valuable results.

The report also notes that the work relating to veterinary and phytopathological questions, and the framing of a draft agreement dealing with a large number of technical questions bearing directly or indirectly upon the concept of indirect protectionism, are to be continued under the direction of the President of the Economic Commission of the Conference and with the assistance of the Economic Committee of the League.

The Committee was glad to be able to record that the Rockefeller Foundation had offered new grants for the work of the Fiscal Committee on international taxation questions and for the study of the causes of the recurrence of periods of economic depression.

On the proposal of its Chairman the Committee decided to request the Fourth Committee to provide a sum of 336,000 francs in the 1934 budget for a second session of the Monetary and Economic Conference. The insertion of this credit, it was made clear, would not pre-judge the question as to whether a second session would be convened.

#### *Work of the Communications and Transit Organization*

The Second Committee considered a report submitted by M. Wohlin (Sweden) on the work done by the Communications and Transit Organization of the League between the Thirteenth and Fourteenth ordinary sessions of the Assembly. In his report M. Wohlin established a comparison between the accounts of the work of the Organization during this last period and the accounts of previous periods, and remarked that the Organization has tended, with a view to economy, to restrict rather than to expand its activities, and to concentrate on a limited number of problems.

As regards the Wireless Station opened by the League in February, 1932, the Rapporteur was satisfied that it had fulfilled all expectations, both with regard to the rapid communication of important documents and in providing facilities for direct contact between the delegations of non-European countries and their Governments or the public opinion of their countries.

The Rapporteur mentioned that, in accordance with the proposals made by a Special Committee of the Communications and Transit Organization, the International Telegraphic Conference held at Madrid in September, 1932, decided to include in the new International Convention on Long-Distance Communications certain provisions calculated to improve the means of communication available to the League in times of emergency. Under these provisions, in the case of a threat of war, telegrams exchanged between the Secretary General or the President of the Council on the one hand, and a Minister, a member of a Government, a member of the Council of the League, or a member of a mission despatched by the Council on the other hand, would be granted priority over Government priority telegrams. The Rapporteur explained that this new provision is to be taken as applying generally to any telegraphic communication in times of emergency, whatever Articles of the Covenant may be invoked.

The Second Committee adopted M. Wohlin's report as submitted to it.

#### *Work of the Health Organization*

The work of the Health Organization was reviewed by the Second Committee upon the report of M. Baranyai, delegate of Hungary. In his report M.



Baranyai observed that, during the past year, the countries which had called upon the Health Organization for assistance represented the four principal continents.

The Rapporteur mentioned, among the outstanding facts which have characterized the work of the Organization during the past year, the results obtained by certain of its technical commissions. For example, the Malaria Commission, which for some years past has been studying the therapeutic value of synthetic preparations and mixtures of cinchona alkaloids, has published its third general report.

The results of the investigations carried out under the auspices of the Health Committee on the causes of tuberculosis mortality have been recorded in a report entitled "General Principles governing the Prevention of Tuberculosis."

During the past year, also, the text of the first chapter of the study undertaken by the Committee on Venereal Diseases was completed and published in the Health Organization's Quarterly Bulletin.

In the course of the discussion, the representatives of those countries which the Health Organization has endeavoured to assist expressed to it their appreciation and thanks.

The United Kingdom delegate drew attention to the disinterested services rendered to the Organization by the large number of experts whose collaboration is essential to the progress of its work. After emphasizing the importance which his Government attaches to certain aspects of the Health Organization's work, such as the campaign against malaria and the steps taken to secure biological standardization, he pointed out that the curtailment of the Health Organization's funds, due to the depreciation of certain currencies, will doubtless induce the Health Committee to go very carefully into its program and to retain only its most important activities. As to unemployment, he wished to state that, up to the present, it had not been found to have had any prejudicial effect on the people's health in his country.

The Italian representative emphasized the value of the collaboration established between the Health Committee and the Permanent Central Opium Board in the campaign against narcotics.

The delegate of the Irish Free State drew attention to the report on maternal welfare and the hygiene of infants and children of pre-school age certain passages of which had been amended by the Health Committee as requested by the Assembly at its Thirteenth Session. Several delegates being of the opinion that the amendments in question have not dispelled the misgivings which had arisen over one of the recommendations contained in the report, the Committee invited the Health Organization to reconsider further the paragraphs in question.

The French delegate recalled the initiative taken by his Government when, in 1930, it proposed the establishment of an International School of Advanced Health Studies to be placed under the auspices of the League of Nations. The Council having approved this proposal, the French Government had taken the steps necessary to carry it out; the Chamber of Deputies had already voted the requisite credits and the bill was now coming up before the Senate. The Second Committee took note of these facts with satisfaction and emphasized the desirability of establishing such a school.

#### *Assistance for Refugees from Germany*

The Netherlands delegate recalled the resolution regarding the refugees coming from Germany adopted by the International Labour Conference in 1933, and stressed the international character of the problem. Convinced that the Jewish organizations in various countries would be prepared to place large sums at the disposal of an international body which would carry on its work of assistance under the auspices of the League, he asked that such a body be set up.

The German delegate declared that the persons referred to had left Germany because the new Germany no longer assured them a privileged situation, or because the internal political conditions were no longer in accordance with their wishes, or because they had an uneasy conscience. The measures contemplated should not be such as to give any encouragement to the elements engaged abroad in a campaign against the German Government. In particular he could not agree that the work outlined in the proposal could take place within the framework of the League.

The matter was referred to a Sub-Committee, the German delegate stating that his country did not desire to be represented on it.

The chief feature of the Sub-Committee's report was that it recommended that the League should appoint a High Commissioner, and that it should advance funds for the work. It was evident that, while the delegates were not in sympathy with the treatment of the Jews in Germany, they were also not prepared to assent to measures for their relief which might have far-reaching political and economic reactions upon their respective countries; pointing out particularly that their Governments could not very well take on further obligations as to supplying work in view of the difficult unemployment situation in their respective countries. Thus the Italian delegate thought that the paragraph inviting States which had received few or no German refugees to facilitate the employment of refugees from Germany and those relating to the information of non-Member States and the co-operation of private organizations did not seem very desirable. Dr. Riddell also said that these paragraphs presented difficulties for the Canadian delegation in view of the unemployment situation in his country. He could only agree to their inclusion if it were understood definitely that they involved no obligation on the part of the Canadian Government to provide employment for refugees.

The Rapporteur explained that the paragraphs in question were not intended to create obligations but were merely recommendations and submitted a new text taking account of the various observations made in the course of the discussion.

The German delegate, however, objected that the resolution would involve intervention by the League at some stage, and stated that when it came to a final decision the German delegation would vote against the resolution.

A committee including the German representative was then appointed to draw up a new formula capable of satisfying Germany. It was decided that the High Commissioner would not report to the League, but to an outside body nominated by the States best able to assist the refugees. Thereby the discussion of German policy in the Council would be avoided.

On this basis the resolution was adopted, the German delegate abstaining.

#### FOURTH COMMITTEE

##### (Budgetary and Financial Questions)

The work of the Fourth Committee was, as usual, long and arduous. In the debate, stress was particularly laid on the following points:—

##### *Financial Position of the League*

It was felt that, while the financial situation was serious and every possible step should be taken to ensure the regular payment of contributions, there was no real cause for alarm as to the financial future of the League; it now seemed that, as a result of the considerable savings which had been effected, there would be no deficit for the year 1933, and that, even if revenue fell short of expenditure, the working capital fund would afford sufficient safeguard for this year.

### *Contributions in Arrears*

As regards contributions in arrears, it was generally felt that the present position could not be allowed to continue, as the partial or complete default of certain States indirectly added to the burden of the others. In addition to the serious financial situation thus created, irritation was growing, particularly in the Parliaments of the States which pay their contributions promptly.

The Sub-Committee, instructed to consider the question, invited the representatives of the States in arrears to appear before it. The principal reasons put forward by the delegates for the non-payment of the contributions were:—

(1) The impression that the amount of contributions demanded is too high and that the scale of allocations adopted by the 1925 Assembly no longer applies to the present situation;

(2) The economic crisis and the exchange problems which cause great difficulty in the transmission of foreign remittances.

The Sub-Committee submitted the following recommendations for the approval of the Fourth Committee:—

1. Changes might usefully be made in Article 21 of the Regulations for the Financial Administration of the League so as to authorize the Secretary-General, when States have signified their agreement, to draw negotiable bills on them, on specified dates, through the central banks or other banks named by the States concerned. It might also be understood that those States Members who so preferred might, when notifying the dates of payment of their contributions, send the Secretary-General treasury bills, also negotiable on the dates of payment selected.

The measure proposed would afford further facilities both to the States Members and to the League—for the States Members, to be able to spread their payments over the year in such a way as to correspond with the dates of their budget periods—and for the League of Nations, to make available for the Secretary-General the amount of these instalments paid at dates corresponding to the requirements of the League's own financial year.

2. Under the terms of the Financial Regulations, a surplus obtained at the end of a financial year shall be used to effect a corresponding reduction of the sum to be collected from States for the second year following.

The Sub-Committee suggested that it was not equitable to distribute the benefits of a surplus among those Member States which had not contributed to it, and therefore recommended that the Supervisory Commission should be invited to propose to the Fifteenth Assembly suitable amendments to the Financial Regulations.

3. The Sub-Committee recommended that Member States should regularly include in their budgets the provision necessary to pay their contributions to the League.

4. The Sub-Committee believed that Member States which regularly pay their contributions can do much to improve the present situation of contributions by means of friendly representations.

As a departure from the custom observed in previous years, the Fourth Committee discussed the report of its Sub-Committee at a public meeting. The views expressed in the Sub-Committee's report were entirely endorsed by the Fourth Committee which considered that the question of contributions in arrears should be given full publicity at the Assembly each year.

The Committee associated itself with the view of its Sub-Committee that the question of the collection of current contributions was even more urgent than that of payments in arrears. It firmly believed that, if all States Members would agree to make it a primary duty to continue contributing towards the expenses of the League, the question of contributions in arrears would eventually cease to occupy the attention of the Assembly.



### *Budget for 1934*

The general budget of the League for 1934 amounted, when submitted to the Assembly, to 30,643,905 francs, a reduction of 8.3 per cent as compared with that for the previous year.

The budget of the Secretariat was 15,708,261 francs, a reduction of 9.3 per cent over 1933.

Several delegates thought the estimates of the League were too high; that all countries had reduced their budgets, and that public opinion demanded that the League should accentuate its efforts in this direction, provided that its essential activities were not unduly curtailed. This attitude was supported by the Canadian delegation and by the various delegations representing the other nations of the British Commonwealth.

The Fourth Committee accepted the proposal of the Second Committee that a supplementary credit of 336,000 francs should be inserted in the budget for the work of the Monetary and Economic Conference.

The supplementary credit of 10,000 francs proposed by the Sixth Committee for the Committee on Arts and Letters was carried by a majority vote. The majority expressed the opinion that the League should do all in its power to bring together, under its aegis, scientists and men of letters for the purpose of promoting the work of moral disarmament.

With regard to the proposal which he had made to reduce the budget by 150,000 francs, the Secretary-General said that in consultation with the Supervisory Commission he would decide to which items the reductions would apply. This method of reducing the budget should not be regarded as a precedent, but as quite exceptional.

As adopted by the Fourth Committee and the Assembly, the budget for 1934 is as follows:—

	Francs
Secretariat and Special Organizations .....	15,892,161
International Labour Organization .....	8,257,876
Permanent Court of International Justice .....	2,538,827
Nansen International Office for Refugees .....	300,000
Buildings at Geneva .....	2,000,000
Pensions .....	1,838,941
Total .....	30,827,805

### *Rationalization*

A long discussion arose on the question of the activities of the League. The majority thought that the Fourth Committee was not competent to make recommendations on the question of present activities and that it should warn the Assembly that further extension of the commitments of the League might result in financial difficulties. It was the desire of the Canadian delegate and clearly the general desire of the Committee that economies should be made, but that they should be reasonable and should not interfere with the essential work of the League.

The Committee adopted the Supervisory Commission's proposals with regard to the reorganization of the Information Section. While recognizing the necessity for reducing the personnel of the Section, stress was laid on the importance of not depriving the Press of effective contact with the Secretariat. The Honourable Philippe Roy took the view that the Section should be able to remain in contact also with countries which were not permanently represented among the journalists at Geneva.

FIFTH COMMITTEE  
(Social and Humanitarian Questions)

*Penal and Penitentiary Questions*

The Committee had before it the Standard Minimum Rules for the treatment of prisoners, revised by the International Penal and Penitentiary Commission in the light of the observations of the Governments and organizations consulted; and also a Report prepared by the Secretary General, at the request of the 1932 Assembly, on the activities of seven private international organizations and the current work of certain Committees of the League dealing with penal and penitentiary questions.

It was decided that the revised text of the Standard Minimum Rules should be submitted to Governments and that they should be asked whether, in view of their existing or proposed laws and regulations, they are in a position to consider the approval and the practical application of these rules in whole or in part. The question of an international convention on the treatment of prisoners has been left over pending a final decision on the Standard Minimum Rules.

*Protection and Welfare of Children and Young People*

The Fifth Committee discussed briefly certain matters relating to the reorganization of the Advisory Commission for the Protection and Welfare of Children and Young People. It noted that the field of work of the Committee on the Traffic in Women and Children was clearly defined, while that of the Child Welfare Committee was not. It considered that the latter Committee should be a centre of information, a centre of studies and a centre of action, and proposed that a plan of work for the Child Welfare Committee should be prepared as soon as possible, with particular reference to the work of its secretariat as a "documentation centre."

It was considered that the funds available for the Advisory Commission were not sufficient to enable it to perform the duties devolving upon it, and the hope was expressed that these funds would be increased as soon as possible.

As regards the composition of the Advisory Commission, which consisted of nine European and three non-European members, many delegates agreed with the suggestion made at the Commission's last session that the three new members to be added to the Commission should be appointed from among non-European countries. The Netherlands delegate made a reservation to the effect that the expression "non-European countries" should be interpreted as meaning countries entirely or partly outside Europe. Several delegates, including Dr. Riddell, opposed this interpretation, considering that European countries with colonies outside Europe should not be eligible for appointment to seats intended for non-European countries.

The Committee expressed the view that it would be advisable eventually to introduce a system of rotation among both the Government members and the assessors attached to the Advisory Commission.

The Committee noted that, during the past year, the *Child Welfare Committee* has continued its studies relating to the protection and education of blind children and the status of illegitimate children, and has begun to study, in collaboration with the International Labour Office, the effects of the economic crisis and unemployment on children and young people. The interest and importance of this work at the present time were emphasized by many speakers, including Dr. Riddell, who spoke of the attention being given to this matter in Canada.

The Committee expressed the hope that, as soon as circumstances permit, the Child Welfare Committee will be provided with the funds it requires to develop its activities.

The principal questions recently considered by the *Traffic in Women and Children Committee* relate to proposed amendments to the Conventions for the suppression of the traffic in women and children. The differences in national legislation and, in particular, the position in the countries maintaining the system of regulation have up to the present made it impossible to draw up the proposed amendments in a form that would be acceptable to a reasonably large number of States. The Committee therefore prepared a text covering the procuring of women of full age, even with their consent, for immoral purposes to be carried out in another country, and expressed the hope that the States would be able to reach agreement on this limited question. The Fifth Committee considered this document and recommended the Assembly to convene a Diplomatic Conference to draw up a final text for signature during the Session of the Assembly.

The Fifth Committee expressed general approval of the work done by the Traffic in Women and Children Committee and invited the Governments to continue their efforts for the suppression of the traffic in women and children.

### *Traffic in Opium and other Dangerous Drugs*

The Fifth Committee noted with satisfaction that the Convention for limiting the manufacture and regulating the distribution of narcotic drugs drawn up in 1931, had come into force on 9th July, 1933, and that by the time the Assembly met the number of Parties to the Convention had risen to 39. We may add that the Convention was ratified by Canada on 17th October, 1932.

The Committee appealed to the Governments that had not yet ratified or acceded to the Convention to do so as soon as possible. It was glad to learn that the Supervisory Body set up under this Convention had begun its work of examining the estimates of the drugs required by the various States for the year 1934; and pointed out that the success of the Convention depended largely upon the careful and prompt preparation by Governments of their estimates every year. In connection with the application of this Convention, the Fifth Committee also recommended to Governments the Model Administrative Code drawn up by the Opium Advisory Committee.

Satisfaction was expressed at the reduction in the amounts of drugs from authorized factories in Western Europe that have recently found their way into the illicit traffic. On the other hand, the development of secret manufacture in Bulgaria, China and Turkey makes it clear that, when traffickers are deprived of one source of supply, they immediately endeavour to create another. The Committee emphasized the necessity for drastic control with a view to preventing such developments, and in this connection called attention to the draft international convention for the prevention of the illicit traffic, which has been submitted to Governments for their observations.

The Chinese delegate expressed apprehension regarding the policy followed in Manchuria and raised the question of the validity of the import certificates for narcotic drugs issued by the present authorities in Manchuria.

In view of the development of secret manufacture, the Committee considered more necessary than ever the steps that are being taken toward the convening of a Conference to consider the possibility of limiting and controlling the cultivation of the opium poppy and the cultivation and harvesting of the coca leaf. Considering, however, the difficulties in the way and the need for thorough preparatory work for such a Conference, it expressed the hope that a preliminary agreement would be concluded as soon as possible between the principal producing countries (Persia, Turkey, and Yugoslavia).

The Committee was glad to note that the United Kingdom, France and the Netherlands had ratified the Bangkok Agreement on the control of opium-



smoking in the Far East, and drew the attention of the other signatories (India, Japan, and Siam) to the importance of their ratifying the Agreement as soon as possible, so that it may come into force.

The Canadian representative on this Committee, M. Déry, drew attention to the exposed position of Canada as regards the illicit traffic in narcotics and to the measures taken by the Government with a view to its suppression. Now that imports and exports were being supervised and manufacture limited, he hoped that it would be found possible to limit the production of the raw materials of these narcotic drugs, which endanger the physical and moral well-being of mankind. The Canadian Government would support the efforts of the League in this direction, as it had done in the past.

#### SIXTH COMMITTEE (Political Questions)

##### *Protection of Minorities*

The question of minorities dominated the proceedings in the Sixth Committee. The Committee did not confine itself to the discussion of the operation of the Minorities Treaties at present in force for certain countries but dealt also with more general issues, such as the obligations devolving upon any State as a result of the Assembly resolution of 1922, or of the right of all citizens to equality in law.

Opening the debate, Herr von Keller, the representative of Germany, said that the hope entertained during the war that the reorganization of Europe would take into account the question of nationality had been disappointed in 1919 by the frontiers which had been established by the Treaties of Peace. But the solidarity of peoples bound by ties of blood, language, and culture, he was convinced, led them now to wish more than ever to be recognized as an entity. In view of this attachment to the "Volkstum," a particular nation had a natural right to consider that all its members, even those separated by frontiers, constituted a moral unity. For that reason, Germany could not agree that Germans abroad should be denationalized and assimilated. At the same time, Germany, consistent with herself, had no intention of trying to germanize other peoples. As far as the Jews were concerned, they gave rise to a special problem which should not be confused with that of minorities and which must be specially handled. The Jews in Germany were not a minority, and did not regard themselves as such.

In reply to Herr von Keller's argument, Mr. Ormsby-Gore, speaking on behalf of Great Britain, said he could but reject the idea of enforcing racial homogeneity, as well as the pseudo-right and duty of a State to concern itself with the citizens of the same race belonging to another State. This "Aryan" doctrine, he went on, could not apply to the British Empire. In the Empire, it had always been a cardinal principle that no persons should be debarred from holding any post under the Crown or in any profession, in the words of Queen Victoria, "by reason of race, colour or creed."

Passing to the question of Jews, Mr. Ormsby-Gore said that he would not have referred to it had not the German delegate queried whether they ought to regard them as a minority in any country. The Jews, he continued, had their racial identity, and they formed everywhere a minority which deserved the same treatment as all other minorities in all countries. What Herr Hitler had written regarding the Jews in Germany had made the English people uneasy, and he personally thought that the League ought to reaffirm solemnly the resolution passed by the Third Assembly in 1922, at a time when Germany was not yet a State Member of the League of Nations.

Referring to the German view regarding ethnical nationality or "Volkstum," Senator Bérenger (France) pointed out that many nations, such as the Swiss, were composed of several races. As to whether Jews were a minority, Jews themselves were not in agreement. The French and German Jews had long considered themselves assimilated by the tradition of a century of liberalism, but, in fact, there was a minority when there was a legal discrimination. The Jewish minority was created by directing discrimination against it. In conclusion, Senator Bérenger proposed the resolution which was finally adopted by the Sixth Committee.

M. Rappard said that Switzerland hoped that the future would not be characterized by a policy tending to make political and linguistic frontiers coincide where geography, history and, above all, the will of the people were opposed to it.

The Honourable R. J. Manion pointed out that in Canada friction had been removed by toleration, by justice to all classes, by mutual understanding, by an unfettered Press and particularly by free parliamentary institutions. Canada had largely settled her minority questions. She believed in two principles—respect for what M. Briand called the "sacred rights" of minorities, and the duty of minorities to be loyal and faithful citizens. He realized that conditions in Europe were different from those in Canada. In Europe, boundaries had been changed and groups of people placed under a different sovereignty. On the other hand, the people who had come from other parts of the world to Canada had accepted Canadian sovereignty and Canadian laws. As a result, the inhabitants of Canada to-day were united under the same sovereignty and devoted to the same ideals, and yet were diverse in race and culture.

The Sixth Committee adopted the following resolutions:—

1. The Assembly, reiterating the recommendation which it passed on September 21, 1922, expresses the hope that the States which are not bound by legal obligations to the League with respect to minorities will nevertheless observe in the treatment of their own racial, religious or linguistic minorities at least as high a standard of justice and toleration as is required by any of the treaties and by the regular action of the Council.

2. The Assembly considers that the principles expounded in resolution 1, which reaffirms the recommendation of 1922, must be applied without exception to all classes of nationals of a State that differ from the majority of the population in race, language or religion.

3. The Assembly requests the Secretary-General to inform the Council of the discussion that has taken place in the Sixth Committee on the question of minorities as a whole.

When the resolutions were being adopted, Herr von Keller said that he accepted the first and third draft resolutions. He added that his delegation was, on the other hand, not in a position to associate itself with the interpretation given to resolution No. 2. The resolution, in his opinion, could only be applied to minorities properly so-called, but there was a tendency in the discussions of the Sixth Committee to interpret the second resolution as concerned with the treatment of the Jews in Germany. This would be contrary to the principles which he had set forth in his remarks before the Committee.

### *Mandates*

As in previous years, the Sixth Committee had before it the annual reports of the mandatory Powers, the reports of the Permanent Mandates Commission and other documents relating to the execution of Article 22 of the Covenant during the past year.

The Committee again expressed its confidence in the mandatory Powers, the Mandates Commission and the Council. It congratulated them on the results obtained and expressed the hope that the spirit of co-operation would render possible further progress.

The negative conclusions recently arrived at by the Mandates Commission with regard to the proposal for a closer union between the mandated territories of Tanganyika and the neighbouring British possessions of Kenya and Uganda were commented on by several delegations, who paid a tribute to the care and impartiality with which the Mandates Commission examined this important problem with the loyal assistance of the Government of the United Kingdom. The British representative admitted that his Government saw possibilities of more effective co-operation between the territories in question particularly in respect of postal and telegraphic communications, but he added that this did not involve organic superstructure and that the question of closer political union between these territories was not now under consideration.

Reference was also made in the course of the Committee's discussions to the question of the conditions governing the purchase of material and supplies for public works in A and B mandated territories—one of the main aspects of the principle of economic equality—which the Mandates Commission studied with a view to facilitating in the future its task of supervising the application of the relevant rules.

The Committee further noted that the question of the demarcation of the frontier between Syria and Iraq, which it had considered last year, had been definitely settled and that the frontier was now fixed. As to the future independence of Syria, the representative of France said that he hoped the day would come when Paris would hand back its mandate in Syria to the League of Nations, but that moderation was perhaps more important than precipitation when the diverse elements which make up the population in Syria were considered.

Several delegations emphasized the importance of the development of the Jewish National Home in Palestine, in view of the number of Jews who were leaving Germany and seeking a permanent establishment. The British representative, however, doubted whether the Committee ought to go into the question of Jewish emigrants from Germany to Palestine, since this question was being dealt with by a friendly arrangement between British and German authorities in Berlin. It was also important, he said, that the increasingly improving relations between Jews and non-Jews in Palestine should not be disturbed.

The Sixth Committee considered that the League of Nations should renew its expression of confidence in the mandatory Power for Palestine, which is called upon to reconcile the obligations undertaken by it in connection with the establishment of the Jewish National Home with the rights of the native population on the one hand and the capacity of absorption of the territory on the other.

The Committee also expressed the hope that the native populations of mandated territories would suffer as little as possible from the consequences of the economic depression.

#### NANSEN REFUGEE OFFICE

The Sixth Committee noted the report of the Nansen International Refugee Office concerning the assistance extended during the past year to thousands of Russian, Armenian, Assyrian and Turkish refugees.

The Committee requested the Office, among other things, to continue its study of the question of the possibility of the transfer to Erivan of further groups of Armenian refugees. Moreover, in view of the growing difficulty of settling certain classes of refugees in Europe, the Committee appealed to coun-



tries which were desirous of developing their territories to co-operate with the Nansen Office in the settlement of refugees suited to their countries. In this connection the Committee was glad to learn that Brazil had already made offers for the settlement of families on very favourable conditions.

The Sixth Committee noted the measures taken by the Office, together with the Intergovernmental Advisory Commission for Refugees, with a view to the preparation of a draft convention for the protection of refugees. The principal points of this draft are as follows: the enjoyment of civil rights; security and stability for settlement and employment; facilities for travelling and for the exercise of professional, industrial and commercial occupations; admission to schools and universities; free access to law courts; and the validity of the Nansen certificate.

As regards the important question of expulsion, the Sixth Committee requested Governments not to expel a refugee until he had obtained permission to enter another country. It asked the Council to endeavour to give effect to this recommendation.

### *Slavery*

The 1932 Assembly decided to set up an Advisory Committee on Slavery, but failed to include the necessary appropriations in the budget. The Fourth Committee of the 1933 Assembly having sanctioned the credit proposed, the Sixth Committee concluded that the Council should very shortly appoint the Advisory Committee and convene it at a date early enough for the rules of procedure to be approved by the Council at its session in January, 1934.

The Sixth Committee further decided that the Advisory Committee should hold its first biennial session in 1935, and that this session should be devoted to the study of the information on slavery communicated by Governments.

### *Intellectual Co-operation*

The Sixth Committee also had under consideration the work of the Organization for Intellectual Co-operation. In the course of the discussion, it was recognized that the Covenant presupposes intellectual *rapprochement* and that the proposals for moral disarmament put forward by the Organization for Intellectual Co-operation bear witness at the same time to this high ideal and a desire for practical achievement. Consequently, one of the resolutions submitted to the Assembly draws the attention of the Disarmament Conference to the importance of these proposals.

Another resolution emphasized the value of the correspondence and conversations organized on the lines of the Frankfort meeting on Goethe and the Madrid Conversations on the future of culture. It expressed the hope that this experiment would be continued.

A third resolution acknowledged the value to the League itself of disinterested studies made in a spirit of scientific impartiality, such as those carried out with regard to State intervention in economic life. The Canadian representative, while associating himself with that expression of appreciation, felt bound to lay special stress on the requirement of impartiality, as a conference held last year under the auspices of the Organization had not, in his view, satisfactorily fulfilled that requirement. To prevent political views being injected into purely intellectual studies, he suggested that a greater supervision should be exercised in future over the meetings for which the Organization was responsible.

By other resolutions Professor Shotwell's proposal for the co-ordination of studies in the field of social and political sciences was approved, as well as the inclusion by the Committee on Intellectual Co-operation of atlases and dictionaries in the list of books covered by the procedure for the revision of school textbooks.

The Committee recommended the proposal of the International Museums Office that an International Historical Monuments Commission be set up, and instructed the Secretary-General to forward to Governments for their observations the preliminary draft Convention on mutual assistance between Governments with a view to the return of works of art illicitly removed from their respective national collections.

The Committee also called the attention of Governments to the preparatory work for the first International Congress on Education through the Cinematograph which is to be held at Rome in April next, and to the unfortunate consequences, as regards culture, of budget restrictions which curtailed the work of national educational institutes and scientific research.

*Co-operation of the Press in the Organization of Peace*

The problem of the co-operation of the Press in the organization of peace once more received the attention of the Sixth Committee. The Committee welcomed the initiative of the Spanish Government in convening in Madrid for November 7 a Press Conference to deal with the question of the spread of inaccurate news of such a nature as to imperil the maintenance of peace and good understanding between nations. It wished this Conference every success and expressed the hope that the next Assembly would be able to note its satisfactory results.

The Sixth Committee recalled the Thirteenth Assembly's resolution advocating the fullest possible publicity for League meetings and renewed its recommendation that the Secretariat should do its utmost to supply the Press with complete information concerning the work of the League.

APPROVAL OF COMMITTEE REPORTS AND RESOLUTIONS

The reports and draft resolutions of the Committees were approved at plenary meetings of the Assembly, except Resolution 2 of the Sixth Committee on the question of the protection of minorities, which was not adopted owing to the opposition of the German delegation. No report was submitted on the work of the Commission of Enquiry for European Union, as this Commission had not been able to meet since 1932. The Assembly therefore confined itself to renewing the mandate of the Commission for a year and including a report on its future work in the agenda of the Fifteenth Ordinary Assembly.

We are, etc.,

ROBERT J. MANION.  
PHILIPPE ROY.  
WALTER A. RIDDELL







EA  
R21

REPORT  
OF THE  
CANADIAN DELEGATES  
TO THE  
FIFTEENTH ASSEMBLY OF  
THE LEAGUE OF NATIONS

---

GENEVA

SEPTEMBER 10 - 27, 1934



OTTAWA  
J. O. PATENAUDE  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1935

Price. 10 cents





511 EA  
(R2)

REPORT  
OF THE  
CANADIAN DELEGATES  
TO THE  
FIFTEENTH ASSEMBLY OF  
THE LEAGUE OF NATIONS

---

GENEVA

SEPTEMBER 10 - 27, 1934



OTTAWA  
J. O. PATENAUDE  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1935

# TABLE OF CONTENTS

	Page
Opening of the Assembly.....	3
Organization of the Assembly.....	3
General Discussion.....	4
Entry of the Union of Soviet Socialist Republics.....	6
Admission of Afghanistan.....	7
Elections to the Council.....	7
First Committee—	
Credentials of Delegates to the Assembly.....	8
Interpretation of Article 15 of the Covenant.....	8
Prohibition, under the Provisions of the Covenant, of the Supply of Arms and War Materials to Belligerents.....	9
Second Committee—	
Economic Questions.....	9
Work of the Financial Committee.....	11
Work of the Communications and Transit Organization.....	12
Health Questions.....	13
Co-operation of the Press in the Organization of Peace.....	13
Assistance for Refugees coming from Germany.....	14
Fourth Committee—	
Financial Position of the League.....	14
Budget for 1935.....	15
Apportionment of Expenses.....	16
Contributions in Arrears.....	17
Elections to the Supervisory Commission.....	17
Fifth Committee—	
Traffic in Opium and Other Dangerous Drugs.....	17
Traffic in Women and Children.....	19
Child Welfare.....	19
Penal and Penitentiary Questions.....	20
Assistance to Indigent Foreigners.....	20
Sixth Committee—	
Dispute between Bolivia and Paraguay.....	20
Question of the Admission of the Union of Soviet Socialist Republics.....	21
Protection of Minorities.....	22
Mandates.....	24
Refugees.....	24
Intellectual Co-operation.....	24
Admission of Afghanistan.....	24
General Committee.....	24
Approval of Committee Reports and Resolutions.....	25
Appendices—	
I. Agenda of the Fifteenth Session of the Assembly.....	26
II. Subject List of Assembly ("A") Documents.....	27
III. Resolutions Adopted by the Assembly.....	28

NOTE—Third Committee (Disarmament Questions) not constituted this year.

# Report of the Canadian Delegates to the Fifteenth Assembly of the League of Nations

---

TO HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL:

The Fifteenth Ordinary Session of the Assembly of the League of Nations was held in Geneva from September 10 to September 27, 1934.

Fifty-four of the fifty-seven States Members of the League were represented at the opening of the Session, those absent being Germany, Japan, and Salvador. During the course of the Assembly, the Union of Soviet Socialist Republics and Afghanistan acceded to the Covenant of the League, while Ecuador advised the Secretary General of its accession on the day following the adjournment of the Assembly.

Canada's delegation was headed by the Prime Minister and Secretary of State for External Affairs, the Right Honourable R. B. Bennett. The other Canadian delegates were Dr. O. D. Skelton, Under-Secretary of State for External Affairs, and Dr. W. A. Riddell, Dominion of Canada Advisory Officer accredited to the League of Nations. Mr. Jean Désy, Counsellor of the Canadian Legation at Paris, and Mr. J. S. Macdonald, Second Secretary in the Canadian Advisory Office, Geneva, acted as alternate delegates.

The proceedings of the Assembly were, in accordance with precedent, opened by the President of the Council, M. Eduard Benes, delegate of Czechoslovakia. In his opening speech, M. Benes frankly set forth the view that the world is passing through one of the greatest crises which mankind has ever known—a crisis in ideas and in morals, as well as in economic and social affairs—and that, in such a period, abnormal international relations are inevitable. Enumerating, as facts of exceptional gravity, the items generally held to constitute the debit side of the League's account—the withdrawal of Germany and Japan, the Manchurian problem, the unsettled Chaco dispute, and the failure of the Disarmament Conference, for which, however, he thought the League could not be held responsible—he held that a survey of the world situation served to make clear the innate strength of the League. Against failure in the Chaco could be placed the success of the League in settling the dispute between Peru and Colombia. Mention could also be made of the success of the League in the negotiations concerning the Saar Plebiscite. Several Great Powers and a large number of smaller States had recently shown greater attachment to the League than ever before and the co-operation of the United States of America was much closer than in former years. Moreover, a number of regional pacts concluded within the year constituted measures of essential importance for the safeguarding of peace. In these difficult times, he maintained, the task of the League is to carry on steadily and patiently all the practical work it can do and to sustain in every way the constructive forces that are available.

## ORGANIZATION OF THE ASSEMBLY

The election of the officers of the Assembly resulted as follows:—

*President:* Mr. M. R. J. Sandler (Sweden)

### *Vice-Presidents*

Sir John Simon (United Kingdom)  
Baron Aloisi (Italy)  
M. Barthou (France)

M. Schuschnigg (Austria)  
Aga Khan (India)  
M. Yevtitch (Yugoslavia)



It was decided, in view of the Disarmament Conference, that it was not necessary to convoke this year the Third Committee which usually deals with questions of disarmament. The remaining Committees were convened, as usual, under the Chairmen named:—

First Committee (Legal and Constitutional Questions): Count Raczyński (Poland).

Second Committee (Economic, Financial, Transit and Health Questions): Right Hon. R. B. Bennett (Canada).

Fourth Committee (Administrative and Budgetary Questions): Count Carton de Wiart (Belgium).

Fifth Committee (Social and Humanitarian Questions): M. Levillier (Argentina).

Sixth Committee (Political Questions): M. de Madariaga (Spain).

Agenda Committee: M. Lozoraitis (Lithuania).

Credentials Committee: Dr. Bado (Uruguay).

The Chairmen of these Committees, together with the President and the six Vice-Presidents of the Assembly, formed the General Committee or Bureau charged with the general direction of the work of the Assembly.

The Canadian Delegation was represented on the Committees as follows:—

*First Committee*

Mr. Jean Désy  
Dr. O. D. Skelton

*Second Committee*

Rt. Hon. R. B. Bennett (Chairman)  
Dr. W. A. Riddell

*Fourth Committee*

Rt. Hon. R. B. Bennett  
Dr. O. D. Skelton

*Fifth Committee*

Dr. W. A. Riddell  
Mr. Jean Désy

*Sixth Committee*

Dr. O. D. Skelton  
Mr. J. S. Macdonald

The Assembly adopted the Agenda set forth in Appendix I to this Report. It decided, however, in view of the close relationship between Item No. 4 of the Agenda—"Amendment of the Covenant of the League in order to bring it into harmony with the Pact of Paris"—and the work of the Disarmament Conference, to adopt the procedure followed in 1932 and 1933 and adjourn this subject to its next ordinary Session.

#### GENERAL DISCUSSION ON THE WORK OF THE LEAGUE

The general discussion which takes place each year on the Secretary-General's Report on the Work of the League since the last Session of the Assembly was considerably shorter this year than usual. It was generally felt that, in the existing circumstances, the League would establish its authority and increase its usefulness not by general observations addressed to the Assembly from the tribune but rather by carrying through to a practical conclusion the important matters which awaited treatment.

The discussion was marked, however, by a declaration of exceptional importance. By the Treaty of June 28th, 1919, concluded with the principal Allied Powers, Poland undertook to accord as an obligation of international concern, under the general supervision of the Council of the League of Nations,

certain rights to racial, religious and linguistic minorities included within its territories. In the intervening years, it frequently expressed a desire to have these guarantees of minority rights made general in their application. It also placed upon the Agenda of the Assembly a proposal for the conclusion of a General Convention on the Protection of Minorities. M. Beck, the Polish Foreign Minister, took advantage of the general discussion on the work of the League to make the following statement:—

“Pending the introduction of a general and uniform system for the protection of minorities, my Government is compelled to refuse, as from to-day, all co-operation with the international organizations in the matter of the supervision of the application by Poland of the system of minority protection.”

The United Kingdom, France and Italy, signatories with Poland of the Treaty of June 28th, 1919, felt called upon to express their views on the position assumed by Poland.

Sir John Simon (United Kingdom) declared that the proposal that minority treaties which applied to Poland, and to certain other countries, be generalized in their application could be made the subject of a decision when the proposal came before the Sixth Committee. He took the position, however, that treaty obligations already entered into by any particular State could not be regarded as depending upon a decision which might be reached later upon more general proposals. Poland, he went on, had accepted certain treaty obligations with regard to minorities which included the guarantee of the League of Nations. It had further accepted a certain procedure, which is laid down in resolutions of the Council, concerning the manner in which this guarantee should be exercised—a procedure which clearly implied the co-operation of Poland. These resolutions became binding on Poland by reason of its acceptance of them, and it was clear that it would not be possible for any State to release itself from obligations of this kind, thus entered into, by unilateral action.

M. Barthou (France) associated himself unreservedly with Sir John Simon's conclusions. France, examining the problem exclusively from the point of view of respect for treaties, did not intend to preclude any possibility of modifications, the principle of which was accepted in the minority treaties themselves, but could not agree that it was open to a single Power to proceed unilaterally to these modifications—still less to a denunciation—outside the procedure provided for, or without negotiating with the other contracting parties.

Baron Aloisi (Italy) took the position that, if the object of M. Beck's statement was to lead up to new regulations better adapted to existing circumstances, the question reduced itself to a problem of revision. Italy was the first country to put forward the general principle that treaties should be adapted to changing circumstances. But, at the same time, Italy had always asserted that existing treaty obligations must be respected until replaced by new provisions.

It should, perhaps, be noted also that in the course of the general discussion the Austrian Foreign Minister, M. Berger-Waldenegg, after outlining briefly the difficulties experienced by his country in the fight to maintain its national integrity, requested the Assembly to accord Austria the support necessary to ensure the maintenance of its security, and to facilitate the economic consolidation which is the essential condition of that security. No action, however, was taken on the matter by the Assembly. Concurrently with the close of the Assembly, however, the representatives of the United Kingdom, France and Italy reaffirmed the separate, though identical, Declarations of the Powers of February 17th, 1934, regarding the necessity of maintaining the independence and integrity of Austria, in accordance with the treaties in force.

## ENTRY OF THE UNION OF SOVIET SOCIALIST REPUBLICS INTO THE LEAGUE

The question of Soviet admission first came before the Assembly on September 17th when the President communicated to it the text of a telegram sent two days earlier to the Government of the Soviet Union, on behalf of the delegations of Abyssinia, Albania, Australia, Austria, United Kingdom, Bulgaria, Canada, Chile, China, Czechoslovakia, Estonia, France, Greece, Haiti, Hungary, India, Iraq, Italy, Latvia, Lithuania, Mexico, New Zealand, Persia, Poland, Roumania, South Africa, Spain, Turkey, Uruguay and Yugoslavia, inviting it to join the League of Nations and give the League its valuable collaboration in the task of maintaining and organizing peace.

At the same time, the President placed before the Assembly a letter addressed to the Council by the first delegate of Sweden, on behalf of his own delegation and of the delegations of Denmark, Norway and Finland, pointing out that the Governments of Sweden, Denmark, Norway and Finland had informed the Soviet Government through the ordinary diplomatic channel of their decision to vote in favour of its admission to the League and adding that the delegations in question would have been authorized to associate themselves with an invitation to that effect had such an invitation been issued by the Assembly itself.

The reply of the Soviet Government, after acknowledging the telegram and the letter under reference, set forth its willingness to become a member of the League in the following terms:—

“The Soviet Government, which has made the organization and consolidation of peace the main task of its foreign policy, and has never been deaf to proposals for international co-operation in the interests of peace, considering that, coming as it does from an overwhelming majority of Members of the League, this invitation represents the real will to peace of the League of Nations, and their recognition of the necessity of co-operation with the Union of Soviet Socialist Republics is willing to respond to it, and become a Member of the League, occupying therein the place due to itself, and undertaking to observe all the international obligations and decisions binding upon members in conformity with Article 1 of the Covenant.

“The Soviet Government is especially glad to be coming into the League at a moment when the question of the amendment of the Covenant in order to bring it into harmony with the Briand-Kellogg Pact, and to banish completely international warfare, is being considered by it.

“Since Articles 12 and 15 of the Covenant leave it open to States to submit disputes to arbitration or judicial settlement, the Soviet Government considers it necessary to make it clear that, in its opinion, such methods should not be applicable to conflicts regarding questions arising before its entry into the League.”

The question of the entry of the Union of Soviet Socialist Republics into the League of Nations was referred to the Sixth Committee, where, following a discussion which is briefly summarized in the section of this Report dealing with the proceedings of that Committee, a decision was reached to recommend its admission.

The following day the question again came before the Assembly in plenary session, and, after a brief discussion, largely recapitulating points of view already advanced in the Committee, the Assembly, by 39 votes to 3, with 7 abstentions, adopted the recommendations of the Sixth Committee that the Union of Soviet Socialist Republics be admitted to the League.

The Soviet delegation, headed by M. Litvinoff, the Soviet Foreign Minister, thereupon occupied the seats allotted to it upon the floor of the Assem-



bly and was welcomed by the President, who declared that the day marked a decisive point in the history of the League, which had been strengthened by the admission of a new Member bringing into the scale of international co-operation the weight of a population of a hundred and sixty millions of people, playing an extremely important part in the life of two continents.

M. Litvinoff, in reply, said that the entry of the Soviet Union derived its significance from the circumstances in which it took place, and the evolution of the relations between the Soviet Government and the League of Nations which led to it. Had Soviet representatives taken part in drawing up the Covenant of the League, they would have objected to certain of its Articles. In particular, they would have objected to the provision in Articles 12 and 15 for the legalization, in certain instances, of war, and that was the reason he had expressed, in his letter to the President of the Assembly, satisfaction at the proposals to alter these Articles. Further, the Soviet Government would have objected to Article 22 on the system of Mandates. It deprecated also the absence in Article 23 of an understanding to ensure race equality. These objections, however, had not been important enough to prevent the Soviet Union from entering the League, especially since any new member of an organization can be morally responsible only for decisions made with its participation and agreement.

In conclusion, M. Litvinoff referred to the question of disarmament. Thirty delegations had just declared that the mission of the League was to organize peace, and that the success of that mission required the co-operation of the Soviet Union. The failure of the Disarmament Conference, he considered, compelled them to seek more effective means of averting war than "paper obstacles." Nor would he overrate the opportunities and means of the League for the organization of peace, knowing how limited these opportunities were, and that the League did not possess the means for the complete abolition of war. A great deal could be done, however, to diminish the danger of war breaking out. The Soviet Government, he concluded, had come to combine its efforts with those of other States and its will to peace would make itself felt.

The procedure followed with respect to the entry of the Union of Soviet Socialist Republics into the League represented to some extent a departure from the normal procedure under Article 1 of the Covenant governing the admission of States into the League. The normal procedure, however, had been varied in recent years in connection with the admission of Mexico and Turkey, when the Assembly, by unanimous resolution, invited these States to accede to the Covenant and waived the customary examination followed in the admission of new Members. The opposition of several Member States to the admission of the Soviet Union made a unanimous invitation impossible and, in the circumstances, rendered necessary the procedure adopted.

#### THE ADMISSION OF AFGHANISTAN

The Kingdom of Afghanistan was admitted to membership in the League by the unanimous vote of the Assembly.

#### ELECTIONS TO THE COUNCIL

The three non-permanent seats on the Council, made vacant by the retirement of China, Panama and Spain on the expiration of their three years' term of office, were filled on September 17th by the election of Turkey and Chile and the re-election of Spain for the three years ending in 1937. The following day, the Union of Soviet Socialist Republics having been named a Permanent Member of the Council in accordance with the provisions of Article 4 of the Covenant, M. Litvinoff took his place at the Council table.

## FIRST COMMITTEE

(Legal and Constitutional Questions)

*Credentials of Delegates to the Assembly*

On the report of the Credentials Committee that certain of the forms adopted by Member States in accrediting their delegates to the Assembly were open to objection and might one day cause difficulty in connection with important Resolutions for which unanimity is necessary or important elections of which the result is doubtful, the First Committee was called upon to consider what documents were to be regarded as credentials within the meaning of the rules of procedure of the Assembly. It was further asked to consider whether it would not be desirable to amend the rules of procedure to provide that the credentials of delegates to the Assembly should be sent to the Secretary-General one week before the opening of the session.

The Committee proposed, on a report of a sub-committee which examined the situation in detail, that, since delegates to the Assembly are not Ministers Plenipotentiary accredited to a Government, the word "credentials" should be replaced by the words "full powers" and that the "full powers" should be issued by the Head of the State, the Minister for Foreign Affairs or other authority possessing similar or equivalent powers. It further proposed that the rules of procedure be amended to provide that the full powers of representatives should be delivered to the Secretary-General, if possible, one week before the opening of the session.

In order to bring the text of the rules of procedure into conformity with the practice which had been found more convenient in recent years, the Committee recommended that the Credentials Committee should be elected by the Assembly on the proposal of the President, instead of by secret ballot. At the same time, it recommended, with a view to avoiding an even number of members on the Credentials Committee, that membership be increased from eight members to nine members.

*Interpretation of Article 15 of the Covenant*

When the dispute between Bolivia and Paraguay came before the Sixth or Political Committee of the Assembly, the representative of Paraguay, M. Caballero de Bedoya, took the position that, in view of the state of hostilities existing between the parties, the Assembly, while authorized under the Covenant to apply the procedure of conciliation laid down in paragraph 3 of Article 15, could not legally go beyond the phase of conciliation and apply the procedure of paragraph 4 of Article 15, which envisages, without the concurrence of the parties to the dispute, the drawing up and publication by the Assembly of recommendations for the settlement of the dispute. He based his plea upon the words in the first paragraph of the Article "any dispute likely to lead to a rupture," and his principal argument was that the dispute, which had actually led to a rupture, did not come within the meaning of the words "likely to lead to a rupture." For these reasons, M. Caballero de Bedoya stated that his Government desired to raise forthwith the question whether the provisions of paragraph 4 and the following paragraphs of Article 15 of the Covenant could be applied integrally by the Assembly to the case of an existing and legally declared war between two Members of the League, in particular, when the Council had already had the question of this war laid before it under Article 11 of the Covenant.

The First Committee, charged with the examination of legal and constitutional questions coming before the Assembly, was thereupon called upon for a legal opinion on the question of the applicability in its entirety of Article 15 of the Covenant to the dispute between Bolivia and Paraguay.

The Committee took the position that the view entertained by the representative of Paraguay was not well founded. In its opinion, the words "dispute likely to lead to a rupture" meant that only disputes having a certain degree of gravity were to be dealt with. In a case where a rupture had actually taken place, there was still stronger reason for the Council or the Assembly to deal with it. If it were necessary to prevent war, it was still more necessary to re-establish peace. To exclude the applicability of Article 15 in a case where war existed would be to admit that the Covenant entitled States in conflict to withdraw from their obligations under it by provoking a rupture. The Committee therefore expressed the opinion that Article 15 of the Covenant was applicable in its entirety even in a case where the parties were at war.

*Prohibition, under the Provisions of the Covenant, of the Supply of Arms and War Materials to Belligerents*

In the course of the discussion in the Sixth Committee on the dispute between Bolivia and Paraguay, the Italian representative explained that his Government, while adhering to the proposal for an embargo on the supply of arms and war materials to Bolivia and Paraguay, took the view that an embargo on war materials for belligerent countries was not a measure which should be adopted outside the procedure provided for in the Covenant for the settlement of a dispute, and without previously determining which State or States could be deemed responsible for the dispute. He pointed out that Article 11 of the Covenant, which up to the present had been applied to the dispute between Bolivia and Paraguay, does not contemplate any such measure, and submitted that the prohibition of the exportation of arms and war materials to belligerents raised a question of principle which required consideration from the standpoint of pure law, and, in particular, from that of the interpretation of the Covenant.

The question was accordingly submitted to the First Committee, which, after an exchange of views, agreed on a report distinguishing between (1) the issues which arose in the particular case of Bolivia and Paraguay and (2) the more general question of prohibiting, under the provisions of the Covenant, the supply of arms and war materials to belligerents.

With respect to the former question, the Committee took the view that the Members of the League of Nations which had imposed the embargo had been able to do so without the application of any of the Articles of the Covenant. This was a lawful act performed in the exercise of their sovereignty and did not conflict with any provision of the Covenant. It was motivated by a desire, in the general interest, to put an end to a war—an object Members of the League were eminently qualified to seek.

With respect to the latter question, the general principle involved, the Committee reported that the discussion raised problems of a very complicated nature which could not be solved in the space of a few days. It recommended, therefore, that the Council be requested to appoint a special committee for the purpose.

SECOND COMMITTEE

(Economic, Financial, Transit and Health Questions)

*Economic Questions*

The Second Committee, within whose competence falls the task of surveying and interpreting to the Assembly the experience of the past year in the sphere of international economic activities as well as of discussing and examining proposals for future action, met this year at an important juncture in the development of commercial policy. It found the dominant characteristic of the present economic situation to lie in the contrast between, on the one hand, the economic recovery which is taking place in many countries, and, on the other, the continuation of



the strain upon international economic equilibrium. It was estimated that, during the year 1933, industrial output in the world as a whole was some twelve to thirteen per cent greater than in 1932. This improvement has continued in most countries during the course of the present year. The recovery, however, has been almost wholly in national markets. The value of world trade has continued to decline, and the volume of goods entering into international commerce has shown only a very small increase. Economic and financial relations between countries remain strained, with foreign exchange markets apprehensive of further disorganization, international capital movements paralyzed, and new impediments to international trade still further restricting the exchange of commodities in many areas.

This contrast between domestic recovery and international stagnation, the Committee considered, was due very largely to the measures adopted by various Governments with a view to lessening the impact of the depression upon the countries for whose affairs those Governments were responsible. The result in the international field, however, has been the establishment of a price disequilibrium which is proving extremely difficult to adjust.

The discussion of this problem in the Second Committee, as in the meeting of the Economic Committee of the League in July, centred round questions of currency stability, exchange control, quota restrictions and other aspects of international commercial policy, all of which were found to be profoundly affected by the widespread tendency to increase the measure of "controlled economy." It was generally agreed that the League should watch for and investigate the possibilities for common action in the field of economic relations, and that the international situation should not be permitted to drift from bad to worse owing to lack of advice or initiative.

One particular aspect of the problem of the restoration of international trade and exchange was emphasized by a number of delegations—namely, the extreme agrarian protectionism in some industrial countries which is detrimental to the trade of agricultural countries and is liable to retard world recovery. Stress was laid during the course of the discussions on the extent to which the demand of agricultural countries for industrial goods is limited by their inability to sell their products in industrial countries which have increased their agricultural protection. These delegations expressed the opinion that an investigation of this problem might contribute towards elucidating the reasons for certain of the difficulties the world was encountering at the present moment and might also point to some methods of initiating a revival of the international exchange of goods.

It was recognized that the present state of affairs in international economic relations was due to the prominence given to sociological and political considerations, rather than to purely economic conceptions in the management of the economic system of a great number of countries, and that this situation had acquired a degree of permanency of which account had to be taken if any hope of overcoming the stagnation in international trade was to be entertained. The Committee concluded that a return to international political co-operation was an indispensable prerequisite to the successful re-establishment of a sound basis for international economic intercourse.

An important question was brought before the Committee by M. Lamoureux, delegate of France, who proposed that the Economic and Financial Organization of the League should be instructed to undertake a comparative study of the various types of Compensation and Clearing Agreements in force in various countries and to collect statistics showing the scope and efficacy of each of them. He pointed out that more than one hundred Agreements of this kind had been entered into in the course of the past two years and that, originally devised as a method of overcoming disturbances in trade between countries applying exchange restrictions or import quotas, they are now playing an important and ever-increasing part in the regulation of international economic relations. He con-

sidered, therefore, that an accurate and complete report on this subject would be useful for every country. In the first place, it would bring out the merits or demerits of the compensation system and would show whether it should be maintained, developed or abandoned. In the second place, it should enable individual Governments to make any necessary improvements in their own commercial policies in the light of the methods followed and the results obtained in other countries.

M. Lamoureux recognized that the conclusion of bilateral Compensation and Clearing Agreements might lead to the accumulation of outstanding debts, the strain of which would be rendered more and more difficult by reason of the fact that certain countries found it impossible to balance their imports from one country by their exports to that country, and agreed that this dangerous weakness might be remedied by the conclusion of agreements under which the compensation system would be brought into force not merely between two countries but between several countries.

On a motion of the United Kingdom delegation, it was agreed that the enquiry to be undertaken should not be limited to the technical aspects of Compensation and Clearing Agreements, but should extend also to the causes which have led to the conclusion of such Agreements and the results obtained.

It was also agreed that adequate consideration should be given, not only to the European aspects of the Agreements in question, but also to their effect on the Overseas countries and on the relations between the latter and Europe.

The Committee welcomed the action of the League Economic Committee in undertaking the study of the question of the tourist traffic considered as an international economic factor. It was noted that studies were contemplated on the following points:—

- (1) Improvement and standardization of methods of compiling tourist statistics;
- (2) Simplification of unnecessary and excessive formalities hampering the development of tourist traffic;
- (3) Preparation of a joint tourist program between certain countries.

#### *Work of the Financial Committee*

The Committee reviewed the work which had been done during the year by the Financial Committee with a view to consolidating the finances of Austria, Hungary and Bulgaria. It was noted that in all these three countries there had been some improvement in the general economic situation but that the Clearing Agreements into which Hungary and Bulgaria had entered had tended to render it increasingly difficult for them to obtain the foreign exchange necessary for their purchase of raw materials and for their debt service.

In the Report of the Second Committee last year the hope was expressed that it might prove possible for the Financial Committee to deal also with problems of a more general character than those with which it had been occupied in recent years—financial reconstruction of Austria, Hungary, Bulgaria, etc.—including such as would be of direct concern to Overseas as well as to European countries. The Committee further expressed the hope that the Council, both in the questions it referred to the Financial Committee and in the determination of the Committee's composition, would bear this consideration in mind.

Mr. Loveday, Director of the Financial Section of the Secretariat, appeared before the Committee and outlined the work that had been done on the problem of the comparability between the statistics of the origin of imports, on the one hand, and the destination of exports, on the other, pointing out that the Committee of Statistical Experts had reached the conclusion that no effective comparability could be secured by the universal adoption of any particular system of recording statistics, for the reason that, in the majority of cases, exporters have

no precise information of the final destination of a large proportion of their exports. The most reliable information on the final destination of exports could best be obtained from the import statistics of countries receiving those exports.

In this connection, attention was directed to the recommendation of the Council that all Governments parties to the International Statistical Convention of 1928 which do not at present record their imports by country of origin should prepare a supplementary annual record of the commodities contained in the special list to be drawn up by the Statistical Committee on the basis of that system, and inviting all other Governments to collaborate in this field by taking similar measures so that the information to be secured might be as comprehensive as possible.

Attention was also directed to the recommendation of the Council authorizing the Secretariat, subject to the approval of the Assembly, to collect and publish the data in question, and, until these supplementary particulars are available, to compile and publish preliminary statistics of a similar nature on the basis of existing annual trade returns.

The Second Committee approved this recommendation in principle.

### *Work of the Communications and Transit Organization*

The work of the Communications and Transit Organization was considered on the basis of a report submitted by the delegate of Chile, M. de Porto-Seguro. In his report, M. de Porto-Seguro remarked that the Organization, which at first had devoted its chief attention to the preparation of general conventions laying down certain principles of international law in the matter of communications, had been able to enter more and more fully into the details of the special questions coming within its province, and to adapt its activities to changing needs.

Entering upon more technical fields, the Rapporteur noted briefly that, in the matter of road traffic, the Organization was seeking to bring about regulations for level-crossing signals; as regards transport by rail, studies had been continued with a view to framing model conventions to facilitate the conclusion of bilateral agreements regarding frontier stations; in the matter of air navigation, efforts had been made to conclude an international agreement regarding Customs exemption for liquid fuel used for air transport; in connection with maritime navigation, the Advisory and Technical Committee of the Organization was to consider at its next session the measures which might be taken to facilitate the international unification of tonnage measurement and the conclusion of agreements on this subject.

With regard to maritime navigation, M. de Porto-Seguro drew the attention of the Committee to a fresh question which had been submitted to the Organization at the request of the Government of the United Kingdom, which pointed out that the pollution of the sea owing to the discharge of oil and oily water was increasing. A draft Convention had been adopted by an International Conference held at Washington in 1926, but, since then, no agreement based on the conclusions of that Conference had been reached. It had been represented to the United Kingdom Government that certain evidence had accumulated in the last eight years which might alter the views expressed during that Conference, and which in any case deserved further international consideration.

The views set forth by the United Kingdom Government were referred to the Advisory and Technical Committee for Communications and Transit, on the understanding that, after an initial inquiry, the Transit Organization would convene experts belonging to the various countries concerned to study the problem more closely. If, as the outcome of this examination, it should be found desirable to recommend the conclusion of a convention on the matter, a memorandum would be submitted to the Council setting forth the object of such a convention and the advantages which might ensue.



Referring to that part of the report which dealt with the communication received from the United Kingdom regarding the pollution of navigable waters by oil, Dr. Riddell informed the Committee that the Canadian Government had given a good deal of attention to the question, and would whole-heartedly support every effort which might be made to avoid further pollution of coastal waters.

It may also be noted that this year, for the first time, the Second Committee had before it a special report on the working of the wireless station of the League of Nations. This special report, which will in future be published annually, made it possible to appraise the importance of the services rendered by the station during the first two years of its activities.

### *Health Questions*

The work of the Health Organization was reviewed by the Second Committee upon the report of Dr. Riddell, who commended the Organization for the balance which it had maintained between its more permanent activities arising out of treaty obligations and the undertaking of certain essential tasks, such as that of the Epidemiological Service and of the technical commissions, and those which were undertaken to meet pressing current needs. While urging concentration of effort on the activities of the first category during the present difficult period, he recognized that the temporary or occasional activities had been very wisely chosen since they dealt with matters of widespread interest and urgent need. In this connection, he mentioned the collaboration in health matters with the Governments of various countries, such as assistance in the reorganization of sanitary services in Greece and China, and the study of factors influencing health, such as pellagra in Roumania and public nutrition problems in Chile.

A large number of delegates took part in the discussion. The delegates of France and Poland emphasized the close relationship between health and public economy. In this connection, the representatives of Italy and Mexico urged the importance of large scale public works to combat unemployment, insisting that public works in the field of hygiene should be given priority.

The delegate of Hungary considered that enquiries should be made into the possibilities of extending the consumption of wheat to under-nourished populations.

The delegate of India recalled the proposal made by his Government in 1932 to organize a rural hygiene conference for Far-Eastern countries, and expressed the hope that the conference would be convened at a not-too-distant date.

The representative of the Union of South Africa proposed that a Pan-African health conference should be held in Capetown in the autumn of 1935 with the following agenda: sanitary and medical services in rural districts; the health of natives and the organization of medical services for natives; protective measures against the introduction of yellow fever; prophylactic measures against plague, eruptive fevers and other diseases.

The Second Committee approved the Rapporteur's conclusions and requested the Council to communicate to the Health Organization the suggestions of a technical order in his report.

### *Co-operation of the Press in the Organization of Peace*

The question of the co-operation of the Press in the organization of peace, which has been discussed by the Third and Sixth Committees at previous sessions of the Assembly, was this year referred to the Second Committee.

The Committee considered the results of the Second Conference of Government Press Bureaux and Press Representatives, held in Madrid in November, 1933, to examine whether concrete proposals could be made with regard to

certain of the main recommendations submitted by the Press organizations in the course of the enquiry conducted by the League into the means of preventing the spread of false information which might threaten to disturb the peace of the world and the good understanding between nations.

The Committee noted the results of the Madrid Conference and expressed the hope that the proposed enquiries into the technical and financial means of putting an end to the spread of false news and in regard to the correction of false news appearing in the Press might prove successful. The Council was requested to authorize the Secretary-General to facilitate the preparation for and organization of the next Press Conference by lending the services of the appropriate sections of the League Secretariat, if such services were desired by the Government convening the Conference.

#### *Assistance for Refugees Coming from Germany*

A statement was made to the Committee by the representative of the United Kingdom on the work of assistance which the 1933 Assembly initiated for refugees coming from Germany. It appeared from that statement that a large measure of assistance had been given through private organizations without any charge on public funds, while great progress had been made with the constructive task of settlement. Over one million pounds had been raised, chiefly in the United States and in the United Kingdom. The 25,000 francs advanced by the League to cover the initial expenditure had been repaid.

The Committee thanked the United Kingdom delegate for his statement and decided to communicate its congratulations to the High Commissioner for Refugees for the splendid results achieved.

### FOURTH COMMITTEE

#### (Administrative and Budgetary Questions)

##### *Financial Position of the League*

The general discussion on the financial position of the League, including the International Labour Office and the Permanent Court, was inaugurated by statements from the Secretary-General and the Chairman of the Supervisory Commission. The Committee was gratified to learn that, since the 1933 Assembly, the financial situation of the League had much improved. Not only had it been possible to close the year 1933 with a surplus, but, should nothing unforeseen hamper the efforts to economize, it should be possible to balance the accounts for the current financial period. On September 8th, 74 per cent of the 1934 Budget had been received, as compared with 57·8 per cent of the 1933 Budget on October 6th, 1933. Further, while in September of last year both the International Labour Office and the Permanent Court of International Justice were indebted to the Working Capital Fund, such advances as had been made to these organizations in 1933 and 1934 had been repaid or will be covered by appropriating for the purpose part of the 1933 surplus.

There was much less criticism this year than for several years past respecting the practice of "over-budgeting." The Committee realized that, if contributions were regularly paid, it would not be necessary to ask for larger credits than were required for the actual expenditure of the League. It generally shared the opinion of the Supervisory Commission that the various proposals which had been suggested, to ensure that the League's income would more closely correspond to budgeted expenditure, would clearly lead to even greater inconvenience than the present system; that the only remedy for the present unsatisfactory position lay in the solution of the question of contributions in arrears; and that the general principles hitherto followed in estimating should continue to apply.

*Budget for 1935*

The Supervisory Commission, in agreement with the Secretary-General, decided to present the Budget for 1935 in a new form to bring it into harmony with the development which has taken place during the past few years in the financial organization and administrative practice of the League.

It will be recalled that the main feature of the Budget for the years 1922-1934 was that, in addition to the estimate for the general services of the Secretariat—including personnel, maintenance and office expenses—there was provided for each of the main activities of the League a separate Budget covering meetings of committees and conferences, printing, staff and incidental expenses, necessitating elaborate calculations to ascertain the cost of given categories of expenditure for the whole of the organization. Under the new arrangement, the estimated expenses are grouped not only according to their nature but also according to the degree of responsibility assumed for their origin and operation. Thus, all travelling expenses are grouped under one sub-head, all removal expenses under another, and cablegrams and telegrams under a third. Again, the items which owe their creation to explicit decisions of the Council or the Assembly are shown separately; and all expenses for which the Secretary-General is directly responsible and which can be accurately estimated are also dealt with separately. In order, however, to enable the Assembly to ascertain the cost of the various activities undertaken by the League, auxiliary budgets in respect of each of the special organizations appear as Annexes to the main Budget.

The Fourth Committee considered that the new structure of the Budget presented distinct advantages over the old one. The general opinion, however, which was shared by the members of the Supervisory Commission, was that further improvements might be made when the 1936 Budget was prepared, particularly by giving fuller references, in the summaries of items, to the details shown in the various auxiliary Annexes.

The Secretary-General, in submitting the estimates, called the attention of the Committee to the fact that, since 1932, the estimates submitted to the Assembly had shown a steady reduction. The figures were as follows: 1932, 33,687,000; 1933, 33,429,000; 1934, 30,827,000; and 1935, 30,461,000 gold francs.

Turning to the estimates for the Secretariat, he pointed out that the reduction was even more marked than that in the general estimates, although account had been taken of the annual statutory increments and provision had been made for the transfer of the Secretariat to the new League buildings. The chief reduction had been on salaries, fifty-eight positions having been abolished.

Certain delegates expressed the opinion that the margin between the 1933 actual expenditure and the 1935 estimates might have been still further reduced. In reply to these observations, the Chairman of the Supervisory Commission explained that it was the Supervisory Commission's duty to fix the estimates for meetings on the basis of a maximum length and attendance. Further, the estimates included two large credits in respect of unforeseen expenses which successive Assemblies had decided to keep at the present figure in order that the Council should not be prevented through lack of means from taking action in the case of emergency.

The Committee, when examining the salary credits of the Secretariat, considered the question of the recruitment of the staff and particularly of Members of Section. On the proposal of the delegate of the Netherlands, the Committee recommended that, as a general rule, new officials should always be appointed at the minimum salary of their category unless no candidate having the necessary qualifications and prepared to accept service on those conditions can be found.

As regards the staff of the International Labour Office, the Committee recalled that, in last year's report to the Assembly, the Supervisory Commission



had said that all economies to be effected through contraction of the lower staff and concentration of services had already been effected in the Office. In the Budget before the Committee considerable reductions had been made in the higher staff. A further step which had been taken was the substitution of temporary for permanent appointments. Thirty-five of these posts had been converted into temporary posts, and the resulting economy amounted to about 144,000 francs. It was noted, however, that the International Labour Office had not yet reduced its staff to the level of the establishment agreed to by the Office itself. As the figure aimed at was 151, no fewer than twenty-six posts of Member of Section still required to be suppressed.

In reply to a question, the Committee was informed that it had not been decided what contribution would be paid by the United States of America to the expenses of the International Labour Organization, of which it had become a Member on August 20th, 1934. The amount of the United States' contribution would be taken up with the authorities at Washington by the Governing Body of the International Labour Organization.

The Budget for 1935, adopted by the Fourth Committee, is as follows:—

	Gold francs
Secretariat.. . . .	15,041,388
International Labour Office.. . . .	8,686,046
Permanent Court of International Justice.. . . .	2,535,646
Permanent Central Opium Board.. . . .	114,984
Nansen International Office for Refugees.. . . .	280,000
Buildings in Geneva.. . . .	2,209,000
Pensions.. . . .	1,772,600
	<hr/>
	30,639,664

#### *Apportionment of Expenses*

The Fourth Committee considered a report submitted by the Committee on the Allocation of Expenses, whose function it is to determine the basis of assessment for the contributions of member States. It will be recalled that in 1925 the Committee was asked to follow the economic development of the various countries with a view to submitting a revised scale to the Assembly of 1928, and that it was subsequently decided by the Assembly to postpone the submission of this revised scale until 1934. At the 1933 Assembly, however, it was agreed that the Committee should endeavour to submit to the 1934 Assembly a temporary scale if, as was feared, conditions made it impossible to draw up a final scientific scale.

In pursuance of these instructions, the Allocation Committee submitted to the 1934 Assembly a report stating that, as a technical body bound to base its conclusions on the evidence available to it, it was unable at present to submit to the Assembly a revised scale. Although the existing scale might involve an injustice to one State or another, it could not, on the basis of technical evidence alone, suggest modifications which might not create a new injustice. In the present state of affairs, the economic data were not sufficiently complete or conclusive to serve as a basis for a new scale of contributions. The Committee decided it could not recommend the adoption of either of the tests put forward at the preceding Assembly, namely, war budgets and budgets for foreign affairs.

It was decided, subject to minor changes hereafter mentioned, which will not affect Canada, that the present scale shall remain in force for the year 1935. As a result, Canada's contribution for 1935, which under the existing scale is based on 35 units, will amount to 1,060,312 gold francs, i.e. five thousand francs less than for 1934.

The contribution of the Union of Soviet Socialist Republics was provisionally fixed at 79 units, and that of Afghanistan provisionally fixed at 1 unit.

As the entry of the Union of Soviet Socialist Republics will render a certain number of units available, the Fourth Committee decided that twenty units should be distributed for the year 1935 by the Allocation Committee in reduction of the contribution of those States which, in its opinion, have the strongest claims to relief.

As a result of observations submitted by Dr. O. D. Skelton (Canada) and certain other delegates, it was made clear that States with contributions in arrears should not receive preferential treatment in the allocation of the units. An exception was made for China, which had complained that a settlement of its case had been postponed from year to year. It was agreed that its request should be considered forthwith by the Allocation Committee and proposals concerning it submitted to the next Assembly.

### *Contributions in Arrears*

Considering the question of unpaid contributions for the financial years previous to December 31st, 1933, the Fourth Committee recommended that the Assembly appoint a special committee, composed of representatives of the United Kingdom, Belgium, Mexico, Norway and Czechoslovakia, to sit at intervals from now until the next session of the Assembly with full power, subject to ratification by the next Assembly, to negotiate and conclude arrangements with States in arrears for the equitable settlement of the amount of their debt in respect of arrears outstanding at the end of 1932.

The Fourth Committee recommended that the Argentine Republic, which, prior to its formal adhesion to the Covenant in 1933, stood in a special relationship to the League, should not be regarded as being in arrears for the four years 1929 to 1932.

The Committee also recommended that, in future, payments made by a State in arrears should be applied towards the reduction of the arrears due by that State and not on account of its current contribution, it being considered unreasonable that in such cases the debtor should have liberty to decide to what purpose the payments made should be appropriated.

A proposal by the United Kingdom delegation, made with a view to affording relief to the smaller States most seriously affected by the economic depression, that all States having permanent seats on the Council should pay equal contributions, met with considerable opposition and was referred to the next Assembly for further consideration.

### *Elections to the Supervisory Commission*

Lord Meston of Agra and M. Hambro were re-elected to the Supervisory Commission. Mr. Cremins, resident delegate in Geneva of the Irish Free State, was elected to the Administrative Board of the Staff Pensions Fund.

## FIFTH COMMITTEE

### (Social and Humanitarian Questions)

#### *Traffic in Opium and Other Dangerous Drugs*

The Fifth Committee had before it a memorandum prepared by M. Casares, delegate of Spain, on the handling of opium questions by the League, dealing more particularly with the work of the Drugs Limitation Convention of 1931 in its first year of operation. It was pleased to note that the system of estimating the world's requirements provided for in the Convention has been put into universal application, and that as a consequence the operations of the legitimate

drug trade, including the manufacture, export, import, consumption and maintenance of stocks, are now conducted on the basis of a world plan drawn up in advance under the auspices of the League.

Another result of the operation of the Convention is that the Permanent Central Opium Board has throughout the year kept a careful check on all quarterly export and import returns against the total of the estimates for each drug for each country, and has not hesitated to use, on a number of occasions, the power given to it under the Convention of stopping exports to countries which have exceeded the total of their estimates.

The attention of the Committee was drawn to the fact that the first objective pursued by the League since the beginning of its work in the field of opium has been to draw a clearer dividing line between the legitimate and illegitimate trade in dangerous drugs, and to exercise a constant vigilance over the legitimate trade, to see that no leakages from it take place. The Committee was informed that the League has succeeded in drawing that definite line of demarcation and that, thanks to the stricter and more general application of the International Opium Conventions, there has been a progressive shrinkage in the volume of legitimate trade in opium, coca leaves and manufactured drugs. The lawful production of drugs has come down more and more nearly to the level of medical requirements, thus leaving little margin that might feed the illicit trade.

Unhappily, with the tightening of international control, which prevents legally manufactured drugs from being diverted to the illicit trade, traffickers have applied themselves to clandestine manufacture and have turned to those countries where there is a plentiful supply of raw material. Their attempt to transfer their activities to Turkey met with the energetic action of the Turkish Government, which has put an end to their operations. They then attempted to set up clandestine factories in Bulgaria, where the position has now been cleared up, and in China, both north and south of the Great Wall. This position gives rise to grave apprehensions, for, as had been earlier pointed out by Colonel Sharman, Canadian representative on the Opium Advisory Committee, attempts have been made to ship to Canada, for subsequent despatch to the United States of America and Europe, drugs manufactured in Bulgaria and the Far East. The conclusion drawn from this new situation by the League organizations is that the principal task now is to concentrate upon the discovery and elimination of the clandestine factories. The Fifth Committee requested the member States to assist the League in this work, and as regards the territories to the north of the Great Wall—Manchuria and Jehol—it requested the Governments to give their close attention to the Opium Advisory Committee's recommendation, approved by the Council, regarding the necessity for the principal producing and manufacturing countries to exercise the strictest supervision over all applications for the export of narcotics to those territories, and to the fact that, under the Hague Opium Convention of 1912, the export of raw and prepared opium to those territories cannot be authorized.

The Committee's attention was directed to the growing trade in acetic anhydride, a chemical product which is almost indispensable for the manufacture of heroin and is of only limited use for industrial purposes.

That part of the League's work which relates more specifically to the suppression of the illicit traffic and to the creation for this purpose of a united front on the part of the police throughout the world was even more strongly emphasized this year than in the past. The Committee recommended the further development of the existing co-operation between the various States by means of specialised police. The example of countries like Canada, the United States of America, the United Kingdom and Egypt, which have already created



such special services, was quoted in this respect as one which should be generally followed. A resolution was adopted requesting that information should be obtained regarding the existing police organizations employed in this work.

The Fifth Committee also adopted a draft resolution, with a view to expediting the further consideration of the draft International Convention for the Suppression of the Illicit Traffic in Dangerous Drugs. The essential object of this draft Convention is to make penalties more severe, to facilitate extradition, and especially to remedy a deficiency in legislation which does not always allow of offenders being dealt with when the offence is committed abroad.

The Committee, which had before it particulars relating to the increase during the past few years of addiction to Indian hemp in certain countries, was gratified to note that the Advisory Committee and the Secretariat are continuing the study of this subject, and urged Governments to supply the Secretariat, for the use of the Advisory Committee, with all the necessary particulars, so that stricter supervision may be exercised over the trade in this plant and its products.

The Committee noted with keen satisfaction that the three Opium Conventions—the Hague Opium Convention of 1912, the Geneva Opium Convention of 1925 and the Convention of 1931 Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, have obtained a very considerable number of ratifications or accessions and are thus progressing in the direction of that universality which is the fundamental condition of their efficient application.

The Committee considered it essential, in order to combat successfully the illicit traffic, that these Conventions should not only be adhered to but strictly applied and, on the proposal of Mr. Jean Désy, representative of Canada on the Committee, decided to remind the delegations present at the Assembly of the following obligations devolving upon Governments under these Conventions:—

1. Legislative and administrative action (see Model Administrative Codes, League document C.774.M.365.1932.XI).
2. Communication to the Secretary-General of laws and regulations.
3. Communication of the annual reports submitted to the Advisory Committee on the working of the Conventions.
4. Notification to the Secretary-General, for communication to the Governments, of every important case of illicit traffic.
5. Despatch of estimates of the annual requirements of drugs in the case of each country or territory.
6. Despatch of quarterly statistics of imports and exports and annual statistics of production, manufacture, consumption, stocks and seizures.
7. Communication to the Secretary-General of a list of drug factories.

### *Traffic in Women and Children*

The last annual report of the Committee on the Traffic in Women and Children, which was brought before the Fifth Committee, dealt with several matters of exceptional interest and led to a useful discussion. Particular attention was given to the position of Russian women refugees in China and to the problem of licensed houses in various countries.

### *Child Welfare*

The Committee considered the work of the Child Welfare Committee during the year, including studies of the following questions: desertion of the family; the welfare and education of blind children; institutions for delin-

quent and erring children; recreational films; the placing of children in families; children in moral and social danger; the effects of economic depression and unemployment upon children and young people; and the development of the rôle of the Secretariat as an information centre.

### *Penal and Penitentiary Questions*

The Fifth Committee recommended Governments to take into consideration the Standard Minimum Rules framed by the International Penal and Penitentiary Commission as a minimum for the treatment of prisoners. These Rules do not in their entirety lay down model conditions, but they serve to indicate the minimum conditions which should be observed in the treatment of prisoners from the humanitarian and social point of view. The Committee requested that Governments should be asked to give the League the benefit of their experience in the application of the Standard Minimum Rules, and also with respect to reforms in general brought about in penitentiary matters.

### *Assistance to Indigent Foreigners*

The Fifth Committee had before it fourteen recommendations and a draft Multilateral Convention on Assistance to Indigent Foreigners. This draft provides in general that each of the contracting parties shall grant to the indigent nationals of the other contracting parties residing in its territory and standing in need of material or moral assistance the same treatment as it grants to its own nationals.

The general principles governing the recommendations are as follows:—

States should aim at the utmost possible assimilation of foreigners with nationals in respect of assistance to indigent persons, including refugees and foreigners without nationality or of indeterminable nationality.

The preservation of the family unit should constitute the basis for the application of measures of assistance.

Assistance should not be refused on purely formal grounds.

## SIXTH COMMITTEE

### (Political Questions)

The Sixth Committee was called upon this year to consider, in addition to the questions of Minorities, Mandates, Slavery, Refugees and Intellectual Co-operation, which usually find a place upon its agenda, two subjects of outstanding importance—the dispute between Bolivia and Paraguay over the Chaco Territory, and the admission of the Union of Soviet Socialist Republics to the League.

### *Dispute between Bolivia and Paraguay*

It will be recalled that on June 9th last the Bolivian Government, exercising its right under paragraph 9 of Article 15 of the Covenant, requested that its dispute with Paraguay over the Chaco Territory, which had been proceeding for more than two years, be brought before the Assembly of the League. It will be further recalled that the First or Legal Committee of the Assembly, to which was referred the Paraguayan objection to the integral application of Article 15 to the dispute, reported that, in its opinion, Article 15 of the Covenant was applicable in its entirety.

The Sixth Committee, thus called upon to consider the dispute under Article 15 of the Covenant, had before it the voluminous documentation on the subject, including the report of the Commission which the Council had sent to

study the dispute on the spot; and the observations on the report submitted by both parties. Following lengthy statements by the representatives of both Governments and an extensive discussion of various aspects of the dispute, the Committee decided that, all efforts to secure a pacific settlement having thus far proved ineffectual, steps should be taken to prepare the draft report and the recommendation contemplated in paragraph 4 of Article 15, with the understanding that the conciliation procedure under paragraph 3 of that Article should remain open until such time as the report should have been adopted. The Committee, therefore, recommended the establishment without delay of a Committee of twenty-two, consisting of the Members of the Council and of eight other States, namely, Colombia, Cuba, Peru, Uruguay, Venezuela, China, the Irish Free State, and Sweden. This Committee, authorized to settle its own procedure, was requested to ask for any assistance which it might consider necessary, in particular the co-operation of the United States of America and Brazil.

*Question of the Admission of the Union of Soviet Socialist Republics into the League*

When the question of the admission of the Union of Soviet Socialist Republics into the League came before the Committee it was at once evident that there would be considerable opposition.

The delegate of Portugal, taking the lead in opposing admission, referred to the danger of Soviet propaganda, and emphasized the incompatibility existing between the economic, political and moral principles advocated by the Soviet Union and the culture and ethics of Portuguese civilization. M. Motta (Switzerland) argued that the Soviet Union was based on anti-democratic and anti-religious principles and did not have the necessary minimum of moral and political conformity with other members of the League to entitle it to admission. He also stressed the risk of Communist propaganda. The Netherlands delegate simply stated that his country was obliged to vote against the admission of the Soviet Union.

M. Jaspar, Foreign Minister of Belgium, associated himself with the views expressed by the representative of Switzerland, but added that Belgium would abstain from voting on the question. Six other countries—the Argentine Republic, Cuba, Luxembourg, Nicaragua, Peru and Venezuela—followed this example.

The representatives of France, the United Kingdom, Italy, Poland, Czechoslovakia and Turkey gave their reasons for supporting the admission of the Union of Soviet Socialist Republics, basing their arguments generally on the broad ground of the desirability of making the League as truly representative as possible.

In the course of the debate Dr. Skelton stated that the position of Canada was different in some respects from that of any other country that had participated in the discussion. He set forth the position of the Canadian delegation in the following terms:—

“Canada is one of those countries which find substantial difficulties in the entrance of Soviet Russia into the League, but believes that under the present world circumstances its entrance is desirable. Our fundamental difficulty lies in the wide difference that exists between the social and political principles of Soviet Russia and those of our own country. We are emphatic and unrepentant believers in freedom of opinion, freedom of the Press, freedom of religious belief and worship, and the organization of industrial life on a basis of individual initiative controlled to bring it into harmony with the common good. These principles of liberty and tolerance and the institutions of parliamentary democracy which are their political



complement are not the principles upon which the Soviet Union has been established. We recognize, however, that in varying degrees they are not principles which are accepted unreservedly by other States now members of the League, for which we have the highest respect. While believing firmly that in the long run the League can succeed only by the application in the international sphere of these ideals of liberty and democracy, we recognize that for the present we must agree to differ and that we cannot require other States to conform to such principles, or reject their collaboration in the League so long as they share in the one indispensable condition of readiness to work together for the peace of the world.

"There were, however, two other considerations which may be stated briefly. One was the possibility of propaganda, to which reference has frequently been made this afternoon. We in Canada have not been free from serious interference in our internal affairs by representatives of the Third International, which it has frequently been difficult to distinguish from the Government of the Soviet Union. We believe, however, that the unreserved acceptance by the Soviet Union in the letter which has been read to-day of the undertaking to observe all the international obligations of the Covenant must necessarily involve a satisfactory attitude on this point in the future.

"A further question is the apprehension felt by many thousands in Canada who have relatives and friends in Russia as to the continuance of the sufferings and the famine which were reported in many districts of the Soviet Union last year and on previous occasions. We believe, however, that like other Members of the League, the Soviet Union will be prepared to do what is possible to relieve distress and will be prepared to sanction any assistance, devoid of political bias which individual citizens of any other Member of the League might desire to tender to those in distress, just as similar sanction would be given reciprocally.

"We have therefore shared in the indication which was given in advance of readiness to support the proposed entry of Russia into the League and shall vote for her admission, in the trust that her presence in the League will facilitate good neighbourliness and mean the opening of a new and better era."

The question being put to a vote the following countries supported the admission of the Union of Soviet Socialist Republics into the League: Union of South Africa, Albania, Australia, Austria, Bolivia, United Kingdom, Bulgaria, Canada, Chile, China, Colombia, Denmark, Dominican Republic, Spain, Estonia, Ethiopia, France, Greece, Guatemala, Haiti, Hungary, India, Iraq, Irish Free State, Italy, Latvia, Liberia, Lithuania, Mexico, Norway, New Zealand, Persia, Poland, Roumania, Sweden, Czechoslovakia, Turkey, and Yugoslavia.

### *Protection of Minorities.*

The Polish proposal that the League of Nations should convene an international conference to draw up a General Convention on the Protection of Minorities, provoked considerable discussion in the Sixth Committee. Although more thorough than those of previous years, the discussion did not bring forward any new arguments regarding the settlement of the minorities problem. It nevertheless served a useful purpose in that it revealed the opinion of numerous delegations on the system of protection at present in force, together with their views regarding the desirability and possibility of generalizing that system.

The Polish contention appeared in general to be that the present system governing the protection of minorities is inequitable and unjust, in that it limits the sovereignty of certain states while leaving others free from any legal undertaking in the treatment of the racial, linguistic or religious minorities

within their borders. States, like Poland, obligated by treaty to accord special rights to minorities generally favoured the Polish proposal for the same reason. Other States likely to be only remotely affected supported it on grounds of logic and humanity. It seemed to be generally agreed by those who had to submit to control in their dealings with minorities that the Treaties had been deflected from their intended purpose and opened the door to interference in domestic affairs.

According to the opponents of generalization, the present system of protection of minorities should be regarded as being bound up with the minority Treaties, and did not in any way embody principles of Government having the character of universal obligations. They argued that the clauses relating to minorities had their foundation and their *raison d'être* in special circumstances obtaining at the time when the treaties were concluded. The opponents of generalization further urged that any attempt to impose the present system of protection of minorities upon countries the territories of which are not inhabited by peoples of different race, language or religion, or which in the course of their history have successfully settled the mutual relations of such peoples, would in effect create an artificial problem in the countries concerned.

It is important to note that, while maintaining the principle of generalization of the international protection of minorities, the Polish delegate confined his remarks to analysing the conditions of such generalization in Europe, and avoided conditions peculiar to other continents.

Several delegates representing countries outside Europe stated that generalization of the protection of minorities could in no case be accepted by their countries, the conditions prevailing in other continents being totally different from those existing in Europe.

Speaking on behalf of the Canadian delegation, Dr. Skelton said that, while recognizing that the present system of the guarantee of minority rights in certain countries by outside control was open to definite objection, he thought that any alternative solution of the problem presented after the war by the existence of important minority groups in the area of the Continent of Europe which had been thrown into the melting pot as the result of war and revolution, would have presented still greater difficulties. Moreover, the existing solution had been accepted by the Governments of the States to whose jurisdiction the minorities in question were assigned as part of an agreed settlement.

After referring to the inconsistency of earlier speakers who had on the one hand criticised the existing arrangements for the protection of minorities and on the other advocated their extension to other countries, he pointed out that it was essential not to lose sight of the distinction between countries which had received minorities as the result of immigration and countries with minorities which were indigenous. There was no parallel between the position of minorities transferred bodily, and frequently without their own consent, to the jurisdiction of another State, and the position of individuals who had immigrated in recent years of their own free will to countries whose system of government they knew and accepted.

He expressed the hope that in time the system of external control will no longer be found necessary and that the gradual lessening of the antagonisms which were natural and inevitable at the beginning of the establishment of the new States, and the growing recognition by the majority and minority groups alike of the common interests they enjoyed in the new States, would create the conditions which would make revision both desirable and possible.

It became evident that if the Polish proposal were put to a vote, support would not be unanimous and no progress would be achieved. Hence, while maintaining its point of view, the Polish delegation, yielding to the Chairman's request, did not press for a vote.

*Mandates*

The Committee considered the work that had been done during the year in the administration of the Mandated Territories, and paid a tribute to the Permanent Mandates Commission, the Council and the Mandatory Powers, on whose close co-operation the success of the system largely depends.

*Refugees*

The Sixth Committee considered the Report of the Nansen International Office for Refugees covering among other subjects the transfer of Armenian refugees to the Armenian Erivan Republic, the settlement of Armenian refugees in Syria, the settlement of Assyrians in Iraq, the transfer of Russian refugees from Manchuria to Brazil, the situation of Russian refugee women in China and the Convention relating to the international status of refugees concluded on October 31st, 1933.

The Report pointed out that the economic crisis had made its effects painfully felt on the situation of the refugees during the past year. It was estimated that there are no fewer than 800,000 Russian refugees, 170,000 Armenian refugees, and 14,000 Assyrian and Turkish refugees. From all sides accounts had been received of the growing distress among the refugees, which had unfortunately been aggravated in many countries by measures prohibiting the employment of foreigners.

The Committee expressed its appreciation of the work achieved by the Refugee Office in spite of the economic crisis. It urged that Governments should refrain from expelling refugees at least until they had obtained the requisite permission and visa to enter another country.

*Intellectual Co-operation*

The Sixth Committee discussed the work of the Intellectual Co-operation Organization during the year, and its efforts to promote intellectual rapprochement and mutual understanding. A number of subjects including moral disarmament, intellectual rights and educational cinematography were considered at some length and the program of work submitted by the Organization for the year 1934-35 was adopted.

*Admission of Afghanistan*

The Committee unanimously recommended that the Assembly should admit Afghanistan to the League of Nations. Delegates of the Moslem states welcomed the accession of another Moslem country.

## GENERAL COMMITTEE

In accordance with the precedent established at the last session the General Committee recommended that the mandate of the Commission of Enquiry for European Union be renewed for a further period of one year.

Early in 1934 the Council expressed a desire that the Secretary-General should investigate the possibility of drawing up rules which if not uniform should at least not be too divergent, concerning the appointment, composition and renewal of the term of office of the League's Committees. To give effect to this decision the Secretary-General conducted an enquiry ranging over all the existing Commissions whose members are appointed wholly or in part by the Assembly, the Council or other League Organizations. The General Committee, considering that this Report constitutes a useful basis for enquiring whether corrections, adjustments, or improvements, should be made in the Constitution and



in the practice and procedure of the League Committees, recommended the Assembly to request the Council to have the Secretary-General's Report studied by a suitable body in order that proposals for the realization of the above mentioned aims may, if necessary, be laid before the Assembly at its next Session.

The General Committee took note of the proposal brought forward by a number of delegations that the Convention on the Nationality of Women, adopted at the Seventh Conference of American States and signed on December 26, 1933, be brought before the First Committee, and recommended that this question be included in the Agenda of the next session of the Assembly.

It also recommended that there be included on the Agenda of the next session of the Assembly the question of the Status of Women, with particular reference to the Treaty on Equality of Rights of both men and women signed by the Governments of Uruguay, Paraguay, Ecuador and Cuba, on December 26, 1933, at Montevideo along with all the final acts of the Seventh Pan-American Conference.

The General Commission took note of a Draft Resolution submitted by the Soviet delegation, expressing the hope that the President of the Disarmament Conference would report to the Council on the position of the work of that Conference, and that the Council would express its views as to the procedure to be followed.

The Soviet delegation did not insist on a formal vote being taken in the Assembly but declared that they proposed to raise the question in the Council itself. They considered that, after two and a half years, it was natural that the Council, if not the Assembly, should show some interest in the work of the Disarmament Conference, and should take stock not only of what had been done but of what had not been done, and perhaps take measures that might help this work or give it some new direction.

The General Committee took note of a Draft Resolution proposed by the Colombian delegation on the relations between the League of Nations and the Pan-American Union and decided to recommend its inclusion in the Agenda of the next session of the Assembly.

#### APPROVAL OF COMMITTEE REPORTS AND RESOLUTIONS

The Reports and draft Resolutions of the committees outlined above were considered by the Assembly in plenary sessions on September 26 and 27 and approved. For convenience of reference the Resolutions as approved by the Assembly are set forth in Appendix III to this Report.

R. B. BENNETT.

O. D. SKELTON.

W. A. RIDDELL.

JEAN DÉSY.

J. S. MacDONALD.

## APPENDIX I

### AGENDA OF THE FIFTEENTH SESSION OF THE ASSEMBLY

1. Election of Officers, Appointment of Committees and Adoption of Agenda.
2. Report on the Work of the League since the Last Session of the Assembly.
3. Election of Three Non-Permanent Members of the Council.
4. Amendment of the Covenant of the League in order to bring it into Harmony with the Pact of Paris.
5. Co-operation of the Press in the Organization of Peace.
6. Nansen International Office of Refugees.
7. Composition of Bodies to which Appointments are made by the Assembly:
  - (a) Supervisory Commission.
  - (b) Administrative Board of the Staff Pensions Fund.
8. Commission of Enquiry for European Union.
9. Conclusion of a General Convention on the Protection of Minorities.
10. Audited Accounts for the Fifteenth Financial Period (1933) and Auditor's Report thereon.
11. Budget of the League for the Seventeenth Financial Period (1935).
12. Reports of the Supervisory Commission.
13. Contributions in Arrears.
14. Report of the Administrative Board of the Staff Pensions Fund.
15. Report of the Committee on the Allocation of Expenses.
16. Economic and Financial Work.
17. Communications and Transit.
18. Health Questions.
19. Social Questions.
20. Traffic in Opium and Other Dangerous Drugs.
21. Intellectual Co-operation.
22. Composition and Terms of Office of League Committees.

#### ITEMS ADDED BY THE ASSEMBLY

23. The Dispute between Bolivia and Paraguay.
24. The Credentials of Delegates to the Assembly.
25. The question of the entry of the Union of Soviet Socialist Republics into the League.
26. The request of Afghanistan to be admitted to membership in the League.

## APPENDIX II

## SUBJECT LIST OF ASSEMBLY ("A") DOCUMENTS

Admission of New League Members:	
Afghanistan .....	46, 54
Union of Soviet Socialist Republics.....	34, 35, 36
Armaments, Conference for Reduction and Limitation of.....	59
Assembly:	
Summons .....	1
Agenda .....	2, 2 (1)
Credentials of Delegates, Amendments .....	47
Bolivia and Paraguay Dispute .....	19, 22, 23, 58
Budget for 1933:	
Audited Accounts—	
Secretariat and Special Organisations.....	3*
Grants of the Rockefeller Foundation.....	3 (b)
Eastern Bureau of the International Health Organisation.....	3 (c)
Nansen International Office for Refugees.....	3 (d)
Budget for 1934:	
Transfers Approved since 14th Assembly Session.....	25
Financial Situation on August 31 1934.....	17
Budget for 1935:	
Secretariat .....	4
International Labour Organisation.....	4 (a)
Permanent Court of International Justice.....	4 (b)
Nansen International Office for Refugees.....	4 (c)
Supplementary Estimates .....	4 (d)
New Work Involving New Expenditure.....	21
Allocation of League Expenses.....	9, 60
(See also below under Supervisory Commission, Staff Pensions Fund and Contributions in Arrears.)	
Child Welfare.....	52
Committees of the League of Nations, Composition and Term of Office of.....	53
Communications and Transit Organisation.....	31
National Public Works.....	16
Report of Operations of League of Nations Wireless Station.....	8
Contributions in Arrears.....	49
Conventions, Situation as Regards Ratifications.....	6 (a) Annex 13
Co-operation of the Press in the Organization of Peace.....	44
Council, Elections to .....	15, 18, 20, 24, 27, 30, 33
Economic and Financial Questions.....	40
European Union, Commission of Enquiry for.....	29
Financial Questions.....	55
Health Organisation, Work of the.....	39
Indigent Foreigners, Assistance to.....	50
Intellectual Co-operation .....	41
Mandates .....	28, 42
Minorities, Protection of.....	7, 26, 57
Nationality of Women.....	48
Penal and Penitentiary Questions.....	14, 45
Refugees, Report of Governing Body of Nansen International Office.....	12
Refugees, Russian, Armenian, Assyrian, Assyro-Chaldean and Turkish.....	37
Secretary-General's Report on the Work of the League since the 14th Session of the Assembly .....	6, 6 (a)
Slavery .....	32, 43
Staff Pensions Fund.....	10
Supervisory Commission.....	5, 5 (a), 11, 61
Traffic in Opium and Other Dangerous Drugs.....	51
Traffic in Women and Children.....	38

\*Document 3 (a) was not issued this year. The material usually found in it has been included in Document A. 3.



### APPENDIX III

#### RESOLUTION ADOPTED ON THE REPORT OF THE FIRST COMMITTEE

##### MANNER OF ACCREDITING DELEGATES TO THE ASSEMBLY: AMENDMENT OF RULE 5 OF THE RULES OF PROCEDURE OF THE ASSEMBLY

The Assembly decides to amend Rule 5 of its Rules of Procedure to read as follows:—

##### *“ Rule 5*

“ 1. Each Member shall communicate to the Secretary-General, if possible, one week before the date fixed for the opening of the session, the names of its representatives, of whom there shall be not more than three. The names of substitute representatives may be added.

“ 2. The full powers of the representatives shall be delivered to the Secretary-General, if possible, one week before the date fixed for the opening of the session. They shall be issued either by the Head of the State or by the Minister for Foreign Affairs.<sup>1</sup>

“ 3. A Committee of nine members for the examination of the full powers shall be elected by the Assembly on the proposal of the President. The Committee shall report without delay.

“ 4. Any representative to whose admission objection has been made shall sit provisionally with the same rights as other representatives, unless the Assembly decides otherwise.”

#### RESOLUTIONS ADOPTED ON THE REPORTS OF THE SECOND COMMITTEE

##### 1. WORK OF THE HEALTH ORGANISATION

The Assembly,

Having considered the chapter on the work of the Health Organisation in the report on the work accomplished by the League of Nations since the fourteenth session of the Assembly (document A.6.1934):

1. Notes with satisfaction that the Health Organisation has ensured the continuity of its essential work, while adapting its activities in such a way as to take account of existing economic and financial conditions;

2. Approves the Rapporteur's conclusions and requests the Council to communicate to the Health Organisation the suggestions of a technical order in his report (document A.39.1934.III).

##### 2. WORK OF THE COMMUNICATIONS AND TRANSIT ORGANISATION

The Assembly approves the report (document A.31.1934.VIII) submitted to it by the Second Committee on the work of the Communications and Transit Organisation.

<sup>1</sup> It is obvious that, in the case of countries which do not possess a Minister for Foreign Affairs, the full powers may be issued by an authority possessing similar or equivalent powers.

### 3. ECONOMIC AND FINANCIAL QUESTIONS

The Assembly requests the Council to arrange for an enquiry to be made by the Economic and Financial Organisation of the League concerning the causes, scope, methods and results of compensation and clearing agreements.

It requests that this study should, in particular, include an examination of the agreements concluded and the working of the organisations set up to provide for their execution, and should throw light upon the practical difficulties that have been encountered and the results that have been obtained.

### 4. COLLABORATION OF THE PRESS IN THE ORGANISATION OF PEACE

The Assembly,

Having noted the results of the second Conference of Government Press Bureaux and Press Representatives, which sat at Madrid from November 7th to 11th, 1933, at the invitation of the Government of the Spanish Republic;

In view of the valuable contribution made by the Conference to the problem of the spread of false news which might endanger the maintenance of peace and a good understanding among the nations;

Hoping that the proposed enquiries into the technical and financial means of putting an end to the spread of false news and in regard to the correction of false news appearing in the Press may prove successful;

Believing it to be desirable that, whenever it is thought expedient, Governments should convene conferences of the Directors of Press Bureaux and representatives of the Press in the conditions contemplated by the Madrid Conference:

Requests the Council to authorise the Secretary-General to facilitate, by such means as are at his disposal, the preparation for and organisation of the next Conference of Government Press Bureaux and Press Representatives, by lending the assistance of the appropriate services of the League for the secretarial work of the conference, if such assistance is desired by the Government convening the conference, after consultation with the Organising Committee and the Press organisations concerned.

## RESOLUTIONS ADOPTED ON THE REPORTS OF THE FOURTH COMMITTEE

### 1. FINANCIAL QUESTIONS

1. The Assembly, under Article 38 of the Regulations for the Financial Administration of the League of Nations, finally passes the audited accounts of the League of Nations for the fifteenth financial period, ending December 31st, 1933.

2. The Assembly,

Under Article 17 of the Regulations for the Financial Administration of the League of Nations:

Passes for the financial period 1935 the budget of the League of Nations, amounting to the total sum of 30,639,664 francs;

And decides that the aforesaid budget shall be published in the *Official Journal*.

3. The Assembly,

Takes note of the report of the Administrative Board of the Staff Pensions Fund for the year 1934 (document A.10.1934);

Adopts the accounts of the Fund as submitted by the Auditor;

And decides, having regard to Article 7, paragraph (a), of the Staff Pensions Regulations, that the contribution of the League to the Pensions Fund for 1935 shall be 9 per cent of the pensionable emoluments of the members of the Fund.

4. The Assembly adopts the conclusions<sup>1</sup> of the various reports of the Supervisory Commission submitted for its consideration (documents A.5, A.5(a), and A.61.1934.X).

5. The Assembly appoints for the period ending on December 31st, 1937, as regular members of the Supervisory Commission: Lord MESTON OF AGRA and M. C. J. HAMBRO.

6. The Assembly appoints for the period ending on December 31st, 1936, as substitute member of the Administrative Board of the Staff Pensions Fund: Mr. Francis T. CREMINS.

7. The Assembly adopts the report of the Fourth Committee (document A.55.1934.X).

## 2. CONTRIBUTIONS IN ARREARS

The Assembly,

Adopts the report of the Fourth Committee (document A.49.1934.X) on the question of contributions in arrears, together with the Annex;

Decides to appoint a special committee, which would sit at intervals from now until the next ordinary session of the Assembly and which would have full power, subject to ratification by the next Assembly, to negotiate and conclude arrangements with States for the equitable settlement of the amount of their debt in respect of arrears outstanding at the end of 1932. This special Committee, which is also entrusted with the study of the questions referred to it by the Fourth Committee, will be composed of the following members:—

Count CARTON DE WIART (Belgium);  
 Sir F. PHILLIPS (United Kingdom);  
 M. Štefan OSUSKÝ (Czechoslovakia);  
 M. CASTILLO NAJERA (Mexico);  
 M. C. J. HAMBRO (Norway);

Decides that the Argentine Republic, which, prior to the year 1933, stood in a special relationship to the League, should no longer be regarded as being in arrears for the four years 1929 to 1932.

## 3. ALLOCATION OF THE EXPENSES OF THE LEAGUE

### I

In view of the material impossibility of referring the question of the contributions of Afghanistan and the Union of Soviet Socialist Republics to the Allocation Committee for a detailed study:

The Assembly decides to fix the contributions of these two States for 1935 only, and without prejudice to any decision that may be reached next year, as follows:—

Afghanistan . . . . .	1 unit ;
Union of Soviet Socialist Republics . . . . .	79 units.

<sup>1</sup> These conclusions relate to the accounts for the financial year 1933; budgetary methods of the League, form of the budgets, contributions in arrears; budget for 1935; disposal of the surplus from the 1933 budget and repayment to the Working Capital Fund; reimbursement to States of their share of the Working Capital Fund; branch offices; recruitment and promotion (in the scale) of Members of Section; reduction of scales of salary; contribution to the Sickness Insurance Fund; rates of subsistence allowance to officials; allocation of surpluses as between Members of the League; construction of the new buildings and expenses of the architects' offices; entry of receipts in the accounts after the close of the financial period to which they refer; proposal for the amendment of Article 22 of the Financial Regulations; form of the budget and various miscellaneous questions.



## II

The Assembly decides that:

(1) Twenty units shall be distributed for the year 1935 by the Allocation Committee in reduction of the contribution of those States which, in its opinion, have the strongest claims to relief;

(2) The Allocation Committee, in carrying out this task, may establish contact with the special Committee on Arrears of Contributions, with a view to obtaining any additional information required;

(3) Subject to the foregoing, the present scale shall remain in force for the year 1935.

## III

The Assembly,

Having noted the United Kingdom's proposal made during the discussion of the report of the Allocation Committee (document A.9.1934.X) and the observations to which it gave rise:

Requests the Governments of States Members of the League to study the question;

And decides that this proposal and all proposals made by Governments which are communicated in good time, concerning the method of contribution of Members of the League, shall be placed on the agenda of the sixteenth Assembly.

## IV

The Assembly decides that the Allocation Committee, in agreement with the special Committee on Arrears of Contributions, shall consider forthwith the request put forward by the Chinese representative on the Fourth Committee of the Assembly and submit concrete proposals concerning it to the sixteenth Assembly.

## RESOLUTIONS ADOPTED ON THE REPORTS OF THE FIFTH COMMITTEE

### 1. TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS

## I

The Assembly,

Being convinced that specialised police services represent the only means whereby Governments can detect and close clandestine drug factories and effectively combat illicit traffic;

Noting the lack of information regarding the numbers and character of the personnel assigned to this class of work in the various countries:

Requests that the Advisory Committee on Traffic in Opium and Other Dangerous Drugs should take steps to obtain the necessary information by placing this question on the agenda for its next session.

## II

The Assembly,

Referring to the draft International Convention for the Suppression of the Illicit Traffic in Dangerous Drugs, transmitted to the Governments on July 16th, 1934, with a view to a second consultation (C.L.120.1934.XI) in application of

the procedure laid down in the Assembly resolution of September 25th, 1931, for the conclusion of all general conventions to be negotiated under the auspices of the League of Nations;

Considering that, in conformity with that resolution, the results of the aforementioned second consultation, which is still in progress, should in the ordinary course be communicated to the Assembly, which would decide whether a convention should be concluded and, in that case, whether the draft should be submitted to a conference for which it would request the Council to fix a date;

Considering, moreover, that the aforementioned resolution of September 25th, 1931, expressly empowers the Assembly and the Council to adopt more appropriate methods when circumstances render this desirable;

Having regard to the necessity of facilitating the adoption of a draft, the urgency and importance of which have been emphasised by the Advisory Committee on Traffic in Opium and Other Dangerous Drugs as well as by the Council and Assembly, and of not postponing the above-mentioned decision until the next ordinary session of the Assembly:

Instructs the Council, for the reasons set out above, to decide, in the light of the results of the second consultation, whether a convention should be concluded and, in that case, whether the draft should be submitted to a conference for which the Council will fix a date.

### III

The Assembly takes note of the report submitted by the Fifth Committee (document A.51.1934.XI) and adopts the resolutions and the conclusions of the report.

#### 2. TRAFFIC IN WOMEN AND CHILDREN

(1) The Assembly is of opinion that the report of the Commission of Enquiry in the East (document C.849.M.393.1932.IV) should be considered at a conference of the authorities who are responsible in Eastern countries for the measures taken to prevent traffic in women, with a view to securing closer co-operation and greater exchange of information between them; and that the Governments concerned should be consulted by the Secretary-General as to their willingness to co-operate in such a conference, to be held in the East under the auspices of the League of Nations.

(2) The Assembly, having considered the statements made by the Commission of Enquiry in the East as to Russian women refugees in China becoming victims of the traffic, decides to instruct the Secretary-General to collect further information from official and unofficial sources and to report the result of such enquiries to the Traffic in Women and Children Committee.

(3) The Assembly, having taken note of the resolutions passed by the Traffic in Women and Children Committee (document C.149.M.62.1934.IV) on the subject of the abolition of licensed houses, decides to communicate these resolutions to all States Members and non-members of the League, and to invite them to give their earnest consideration to these resolutions in dealing with the problem of prostitution.

(4) The Assembly observes that the Traffic in Women and Children Committee has decided to consider at its next session the question of the preparation of an international convention for the punishment of *souteneurs*.

(5) The Assembly, recognising that, to ensure the effective suppression of the traffic in women, it is important that as many States as possible should become parties to the International Convention for the Suppression of the Traffic in Women of Full Age, which was concluded in Geneva on October 11th, 1933, instructs the Secretary-General to invite those States which have signed the Convention to ratify their signatures as soon as possible and to draw the attention of those States which have not signed the Convention to the importance of acceding to it without delay.

## 3. CHILD WELFARE

## I

The Assembly affirms the need for the systematic collation by the League of Nations of information bearing on child welfare with a view to the formation of a centre of information and diffusion. When the Child Welfare Committee was established, it was recognised that this would be one of its main duties, and it is only lack of staff which has prevented its carrying it out in full. The general scheme recommended by the Child Welfare Committee (document C.149.M.62-1934.IV) and approved by the Assembly is that the Library of the Secretariat should collect and keep up to date the most complete information possible, including:

- (a) Present and contemplated legislation of different countries and its application;
- (b) The work done by institutions and organisations, both official and unofficial;
- (c) The activities of international bodies; and
- (d) Bibliographical material.

It will be necessary to that end:

- (a) To approach the various Governments;
- (b) To collect full information regarding the activities on this subject of institutions and associations, whether of an official character or due to private initiative, in accordance with the rules and regulations of the Secretariat and with the procedure agreed upon with the Governments concerned;
- (c) To be informed of the activities of international bodies;
- (d) To have access to bibliographical information in regard to child welfare questions.

For that purpose, the Secretariat should maintain close contact with the International Labour Office and the other organs of the League, together with the different centres of documentation. The material thus collected should be placed at the disposal of persons in all countries engaged in research or enquiries in respect of child welfare.

The work of collecting information and utilising it will be carried out in accordance with the regulations in force for the organisation of the League of Nations Library and with the plans to be approved from time to time by the Child Welfare Committee, and will cover only such subjects concerned with child welfare as may be approved by that Committee.

To enable the Secretariat to fulfil the function of a centre of information as described, the staff of the Social Questions Section will have to be strengthened. The work will have to be done by an official of not lower rank than Member of Section, who has had special training and experience in regard to child welfare questions, which conditions are essential if the information service desired by the Assembly is to work efficiently.

Other incidental expenditure will also be necessary.



## II

The Assembly approves the report submitted to it by the Fifth Committee (document A.52.1934.IV) on the question of child welfare.

## 4. PENAL AND PENITENTIARY QUESTIONS

The Assembly,

Having taken note of the resolution adopted by the International Penal and Penitentiary Commission in August, 1934, concerning the revised Standard Minimum Rules for the treatment of prisoners;

Considering that these rules (document A.45.1934.IV, Annex) constitute a minimum below which no State's penitentiary system should fall;

Considering that it is highly desirable that efforts should be made to improve the treatment of prisoners by going beyond that minimum, as has been done in several countries:

1. Recommends Governments to take into consideration the Standard Minimum Rules framed by the International Penal and Penitentiary Commission as a minimum for the treatment of every individual deprived of his liberty;

2. Requests Governments to consider the possibility of adapting their penitentiary system to the Standard Minimum Rules if that system is below the minimum laid down in the said rules;

3. Considers that Governments whose economic or financial situation constitutes an obstacle which prevents them temporarily from complying with this minimum should endeavour to reach it as soon as circumstances permit and at the earliest possible date;

4. Instructs the Secretary-General:

- (a) To request Governments to communicate, if possible, annually, and if necessary, with the collaboration of qualified associations, the experience obtained and any other observations relating either to the application of the Standard Minimum Rules or to reforms in general brought about in penitentiary matters;
- (b) To report on these questions to the Assembly and to communicate the information received from Governments to the International Penal and Penitentiary Commission.

## 5. ASSISTANCE TO INDIGENT FOREIGNERS

The Assembly,

Having studied with keen interest the work accomplished by the Committee of Experts on Assistance to Indigent Foreigners and the Execution of Maintenance Obligations abroad at its first session, in December 1933 (document C.10.M.8.1934.IV);

Having noted the replies received from twenty of the seventy Governments to which the proposals of the Committee of Experts have been submitted;

Being of opinion that, since so few replies have yet been received, it is not possible to take any decision on the substance of the draft Convention and the fourteen recommendations drawn up by the Committee of Experts:

Expresses the hope that those Governments which have stated that they are in favour of the fourteen recommendations will apply them at the earliest possible moment, and

Instructs the Secretary-General to request these Governments which have not yet sent their observations on this subject to send them to the Secretariat of the League of Nations as soon as possible, and to submit those observations to the Committee of Experts for examination at its next session.

## RESOLUTIONS ADOPTED ON THE REPORTS OF THE SIXTH COMMITTEE

### 1. ADMISSION OF NEW MEMBERS TO THE LEAGUE OF NATIONS

#### A. *Admission of the Union of Soviet Socialist Republics: Nomination of the Union of Soviet Socialist Republics as a Permanent Member of the Council*

I. The Assembly decides to admit the Union of Soviet Socialist Republics to the League of Nations.

II. The Assembly approves the proposal put forward by the Council in its resolution of September 15th, 1934, regarding the nomination of the Union of Soviet Socialist Republics as a Permanent Member of the Council.

#### B. *Admission of Afghanistan*

The Assembly decides to admit Afghanistan to the League of Nations.

### 2. DISPUTE BETWEEN BOLIVIA AND PARAGUAY

I. In consideration of the request made by the Bolivian Government on May 31st, 1934, for the application to the dispute of the procedure provided by Article 15 of the Covenant of the League;

In consideration of the request made by the Bolivian Government on June 9th, 1934, that the dispute be referred to the Assembly in accordance with Article 15, paragraph 9, of the Covenant, and the Council's decision of September 7th, 1934;

In consideration of the opinion of its First Committee dated September 22nd, 1934 (document A.VI/12.1934), on the question of the full application of Article 15 of the Covenant, which was raised by the delegate of Paraguay:

The Assembly declares that the dispute between Bolivia and Paraguay has been duly referred to it, and that it is obliged to follow the procedure provided in Article 15 of the Covenant.

II. Whereas hostilities have been proceeding in the Chaco for more than two years, and all the efforts that have been made to secure the cessation of hostilities and the pacific settlement of the dispute have so far proved ineffectual;

And whereas, in particular, the endeavour made in the interests of peace, prior to the meeting of the Assembly, by the Government of the Argentine Republic, with the support of the Governments of the United States of America and the United States of Brazil, has revealed the difficulties which still stand in the way of a settlement by conciliation:

The Assembly considers that, while endeavouring to secure a settlement of the dispute by the procedure of conciliation provided for in Article 15, paragraph 3 of the Covenant, it should forthwith take steps to prepare the report contemplated in paragraph 4 of the same article, on the understanding that the conciliation procedure remains open until such time as the said report shall have been adopted.

III. The Assembly hereby decides to establish a Committee comprising:

(a) The Members of the Council;

(b) Those Members of the League which, not being at present Members of the Council, have taken part in the attempts previously made in America, as members of the Washington Committee of Neutrals or as States bordering upon the parties to the dispute—that is to say, Colombia, Cuba, Peru and Uruguay;

(c) Four other Members to be selected by the Assembly.

The Committee will be formed without delay. It will settle its own procedure with a view to discharging its duty as effectively and speedily as possible. It may secure such assistance as it may consider necessary.

Should it succeed in bringing about the settlement of the dispute by applying Article 15, paragraph 3, of the Covenant, the Committee will make public, on behalf of the Assembly, a statement giving facts and explanations regarding the dispute and the terms of settlement thereof.

Should it prove impossible to settle the dispute, the Committee will submit to the Assembly the draft report contemplated in Article 15, paragraph 4, of the Covenant, containing a statement of the facts of the dispute and the recommendations concerning the cessation of hostilities, the settlement of the dispute, and any consequences arising out of those recommendations in regard to the application of the prohibition to supply arms and war material, to which numerous Governments have subscribed, in some cases "subject to any further recommendation by the Council or the Assembly."

In accordance with Rule 1, paragraph 2, of its Rules of Procedure, the Assembly will meet in extraordinary session at the request of the Committee hereby set up.

\* \* \*

The Sixth Committee recommends to the Assembly to select as Members of the Committee: China, the Irish Free State, Sweden and Venezuela.

### 3. PROHIBITION, UNDER THE PROVISIONS OF THE COVENANT, OF THE SUPPLY OF ARMS AND WAR MATERIAL TO BELLIGERENTS

The Assembly decides to request the Council to appoint a Committee to study, from the standpoint of pure law and, in particular, from that of interpretation of the Covenant, the question of prohibiting, under the provisions of the Covenant of the League of Nations, the supply of arms and war material to belligerents and to present its conclusions to the Council and to the Assembly.

### 4. PROTECTION OF MINORITIES

The Assembly takes note of the report of the Sixth Committee (document A. 57, 1934, I).

### 5. MANDATES

The Assembly,

Having noted the activities of the mandatory Powers, of the Permanent Mandates Commission and of the Council as regards the execution of Article 22 of the Covenant:

Once more expresses its confidence in them, and hopes that they will pursue in the same spirit of close co-operation the work of progress constituted by the mandates system.

### 6. SLAVERY

The Assembly,

Notes the Rules of Procedure<sup>1</sup> drawn up by the Advisory Committee of Experts on Slavery and approved by the Council on January 19, 1934;

Renews its appeal to the Governments of the Members of the League and non-members parties to the 1926 Slavery Convention to send, without delay, to the League information on all forms of slavery in their own countries, or in other parts of the world, in order that the Advisory Committee can meet early in 1935;

<sup>1</sup>See *Official Journal*, February 1934, pages 222 to 225.



Authorises the Secretary-General each year, should it appear to be necessary, to request Governments to supply further information on slavery within the limits of the provisions of the Assembly resolution of 1932; this action will be taken in agreement with the Chairman of the Advisory Committee;

Requests the Secretary-General to bring the present resolution to the notice of the Governments of the Members of the League and non-members parties to the 1926 Slavery Convention.

## 7. WORK OF THE INTELLECTUAL CO-OPERATION ORGANISATION

### (1) The Assembly,

Approves the programme of work of the Intellectual Co-operation Organisation for the year 1934-35, as set out in the resolutions of the International Committee and the general report of the Director of the Institute (document C. 339, M. 156, 1934, XII).

It is happy to recognise that the work done during the past year by the various bodies constituting the Intellectual Co-operation Organisation has been entirely in keeping with the intentions of the last Assembly and with the higher interests of the League of Nations and culture in general.

It notes with satisfaction that, in spite of difficult circumstances, it has been possible to maintain the resources made available by the League of Nations; it nevertheless considers it impossible to meet the numerous requirements of the present time and enable this work to attain in all its aspects to the full development which its continuous progress makes it possible to expect, unless the material needs of the Organisation are more fully understood both by the League as a whole and by the various Member States. While conveying its renewed thanks to those States which are already showing their interest in the Institute of Intellectual Co-operation by the payment of contributions, it expresses the hope that, in future, their number will still further increase.

### (2) *Moral Disarmament.*

The Assembly notes the work done by the Committee on Moral Disarmament of the Conference for the Reduction and Limitation of Armaments. Without prejudice to the further activities of that Committee, it expresses the hope that the texts drawn up by the International Committee on Intellectual Co-operation will be recommended in due course to the attention of the various States.

### (3) *National Committees.*

The Assembly requests the Secretary-General of the League of Nations once more to draw the attention of the Governments to the importance of the tasks entrusted to the National Committees, for it is important that the various States should do everything in their power to assist the Committees in the regular fulfilment of their mission.

### (4) *Annual Tables of Constants.*

The Assembly recognises the great value to science in general of the publication of the annual tables of constants and numerical data, as also the importance of the proposal put forward by the International Chemistry Union for the summoning, under the auspices of the French Government, of a conference to consider the present position of that publication.

(5) The Assembly conveys its warmest thanks to Spain, France and Italy for the services which those countries have rendered to intellectual co-operation by facilitating the summoning of such important conferences as the seventh

International Studies Conference, held in Paris, the Venice "Conversation" of July, 1934, and the General Museographical Conference to be held in Madrid next October.

(6) The Assembly draws the attention of Governments to the importance of a prompt and sympathetic examination of the two draft Conventions prepared by the Intellectual Co-operation Organisation and at present submitted to the States for their consideration; the first of these agreements relates to the legal protection of national artistic possessions and the second to broadcasting and international relations. The Assembly requests the Institute of Intellectual Co-operation to summon further meetings of the Committees of Experts by which the first drafts were prepared, as soon as enough replies have been received. Those Committees will amend the original texts in the light of the replies from the States. The drafts thus amended will be communicated to the Governments and submitted to the Council of the League, which will decide whether they are to be considered by special conferences, or whether they can be discussed and signed during the next ordinary Assembly.

(7) *Intellectual Rights.*

The Assembly,

Having heard the particulars supplied to it in regard to the progress recently made in the matter of bringing into harmony the Berne and Havana Conventions on authors' rights:

Notes with satisfaction that, as a result of the Pan-American Conference at Montevideo, an American Committee has been set up to prepare a draft, co-ordinating the basic principles of the two Conventions.

Having regard to the interest which the Assembly has taken in this problem since September, 1928:

It asks that the Intellectual Co-operation Organisation should study, before the Brussels Revision Conference, the terms of a preliminary draft convention combining the above-mentioned Conventions.

(8) *Origins of American Civilisation.*

The Assembly,

Approves of the very interesting suggestion made by M. Levillier, delegate of the Argentine Republic, that the Institute of Intellectual Co-operation of the League should publish, by international scientific collaboration, a collection of original works on the native civilisations of America and a similar collection dealing with the great American discoveries and history of the sixteenth century;

And requests the Director of the Institute of Intellectual Co-operation, after consulting the Publications Committee of the Ibero-American Collection, to bring that suggestion forward at the next session of the Executive Committee of the Intellectual Co-operation Organisation, with a view to the appointment, as proposed by the Argentine delegate, of a small Committee of Americanists for the purpose of drawing up a scientific and financial plan for the proposed work, such plan to be submitted to the next ordinary Assembly for its approval.

(9) *League of Nations Teaching.*

The Assembly is gratified to note the impulse given by the new Advisory Committee for the League of Nations Teaching to the efforts that are being made with a view to the instruction of the younger generation in the aims and work of the League of Nations, and approves the method recommended, which would embody that teaching in a number of measures intended to awaken an international spirit and to promote mutual knowledge of different civilisations.

(10) *Educational Cinematography.*

The Assembly is gratified by the considerable work accomplished by the International Educational Cinematographic Institute during the past year, and

in particular by the holding of the International Congress of Educational and Instructional Cinematography in Rome in April, 1934.

It is glad to see in the results of the Congress, not merely the successful conclusion of work already systematically carried on among educationists and the film industry, but also the starting-point of a whole series of new activities.

It desires to emphasise the fact that among the effects of the Rome Congress has been that of stressing the increasingly large part played by the International Educational Cinematographic Institute in the technical field.

It notes that a large number of signatures have been secured for the Convention for facilitating the International Circulation of Films of an Educational Character, and expresses the hope that the requisite number of ratifications will be obtained to enable that international instrument to come into force at an early date.

#### 8. RUSSIAN, ARMENIAN, ASSYRIAN, ASSYRO-CHALDEAN AND TURKISH REFUGEES

The Assembly,

Having considered the report of the Nansen International Office for Refugees on its work during the past year (document A.12.1934):

Expresses its high appreciation of the important results achieved by the Office for the refugees and for the countries offering them hospitality, in spite of the economic crisis and of the exiguous funds at the disposal of the Office;

Seeing that the Refugee Convention of October 28th, 1933, recognises an international status for the refugees, which, *inter alia*, contemplates that measures against foreigners should not, owing to their special situation, be applied rigorously to refugees;

Urges Governments, with a view to an acceleration of the liquidation of the refugee problem, to accede as soon as possible to that Convention;

Considering the opinion expressed by responsible Armenian refugee organisations that the settlement of the Armenian refugees in the Republic of Erivan offers one of the best solutions of the Armenian refugee problem:

Requests the Office to continue its negotiations to that end;

Notes with anxiety the growing practice of certain Governments to expel refugees from their territories, even for minor offences, and the serious consequences thus created for neighbouring States;

Invites Governments to undertake not to expel refugees from their territories until they have obtained visas to enter an adjacent country;

Recognising the increasing difficulty of placing refugees in employment in European countries, and even of maintaining in employment those who already have work:

Requests the Office to continue and develop its efforts to secure the settlement of refugees in oversea countries; and

Urges the Governments of those countries to communicate to the Office any settlement opportunities or prospects existing in their territories;

Appreciating the difficulty experienced by Governments in continuing to support the direct and indirect charges imposed on them by the presence of large numbers of unemployed refugees in their territories:

Recommends the Governments of those countries to consider the advantage of capitalising such charges by placing credits at the disposal of the Office to enable it to settle unemployed refugees in countries willing to receive them;

Notes that the Office could extend its activities to a larger number of refugees if adequate funds were available;

Urges Governments to increase the revenue of the Office by a general application of the Nansen Stamp System; and

Requests the Council to take the necessary steps to ensure that the Secretary-General may be acquainted with the effect interested Governments are able to give to the above recommendations.



## RESOLUTIONS ADOPTED ON THE PROPOSALS OF THE GENERAL COMMITTEE OF THE ASSEMBLY

### 1. COMMISSION OF ENQUIRY FOR EUROPEAN UNION

The Assembly,

After consulting its General Committee as to the procedure to be followed in connection with Item 8 of the agenda of this session (Commission of Enquiry for European Union):

Notes that circumstances have made it impossible for this Commission to meet since the last session;

Decides, under these conditions, to renew for twelve months the term of office of the Commission of Enquiry for European Union and to include the question in the agenda of the next session of the Assembly.

### 2. COMMITTEES OF THE LEAGUE OF NATIONS

The Assembly,

Having taken cognisance of the Secretary-General's report on the League Committees, prepared as a result of the Council's decision of January 17th, 1934 (document C.287.M.125.1934);

Considering that this report constitutes a useful basis for enquiring whether corrections, adjustments, or improvements should be made in the constitution and in the practice and procedure of the Committees:

Requests the Council to have the Secretary-General's report studied by a suitable body in order that proposals for the realisation of the above-mentioned aims may, if necessary, be laid before the Assembly at its next session.

In order to facilitate this examination, the Members of the League might be invited to communicate to the Secretary-General any suggestions they may wish to make.

### 3. NATIONALITY OF WOMEN

The Assembly takes note of the proposal put forward by certain delegations on the question of the nationality of women (document A.48.1934.V) and decides to include this question in the agenda of the next ordinary session of the Assembly.

### 4. STATUS OF WOMEN

The Assembly takes note of the proposal put forward by certain delegations on the question of the status of women (document C.440.M.190.1934.V), and decides that the Secretary-General will take the necessary steps to ensure that proper action may be taken in respect of the various points raised therein.

### 5. CONFERENCE FOR THE REDUCTION AND LIMITATION OF ARMAMENTS

The Assembly takes note of the draft resolution submitted by the delegation of the Union of Soviet Socialist Republics (document A.59.1934.IX).<sup>1</sup>

### 6. RELATIONS BETWEEN THE LEAGUE OF NATIONS AND THE PAN-AMERICAN UNION

The Assembly takes note of the draft resolution submitted by the Colombian delegation concerning relations between the League of Nations and the Pan-American Union (document C.434.M.189.1934), and decides to include this question in the agenda of the next ordinary session of the Assembly.

<sup>1</sup> The text of the draft resolution reads as follows:—

"The fifteenth Assembly of the League of Nations expresses the hope that the President of the Conference for the Reduction and Limitation of Armaments will report to the League Council on the position of the work of that Conference and that the Council will express its views as to the procedure to be followed."







EA  
R21

League of Nations

REPORT  
OF THE  
CANADIAN DELEGATES  
TO THE  
SIXTEENTH ASSEMBLY OF  
THE LEAGUE OF NATIONS

---

GENEVA

9th September - 11th October, 1935



OTTAWA  
J. O. PATENAUDE, I.S.O.,  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936

Price, 10 cents



REPORT

OF THE

CANADIAN DELEGATES

TO THE

# SIXTEENTH ASSEMBLY OF THE LEAGUE OF NATIONS

---

GENEVA

9th September - 11th October, 1935



OTTAWA  
J. O. PATENAUDE, I.S.O.,  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1936



## TABLE OF CONTENTS

---

	PAGE
Organisation of the Assembly.....	3
General Discussion on the Work of the League.....	5
Elections to the Council.....	6
Elections to the Permanent Court.....	6
First Committee—	
Interpretation of Article 14 of the Covenant.....	6
Rules of Procedure of the Assembly.....	7
Statute of the Permanent Court.....	8
Nationality of Women.....	8
Status of Women.....	8
Pan-American Union.....	9
Unification of Private Law.....	9
Second Committee—	
Economic and Financial Questions.....	10
Communications and Transit.....	12
Health.....	12
Nutrition.....	13
Constitution and Working of League Committees.....	14
Third Committee—	
(Not constituted.)	
Fourth Committee—	
Financial Position of the League.....	14
Budget for 1936.....	15
Apportionment of Expenses.....	16
Fifth Committee—	
Traffic in Opium and Other Dangerous Drugs.....	17
Traffic in Women and Children.....	18
Child Welfare.....	18
Penal and Penitentiary Questions.....	19
Sixth Committee—	
Dispute between Bolivia and Paraguay.....	19
Mandates.....	19
Refugees.....	20
Slavery.....	20
Intellectual Co-operation.....	20
Approval of the Committee Reports and Resolutions.....	21
First Adjournment of the Session.....	21
Resumption and Second Adjournment of the Session.....	21
Appendices—	
I. Agenda of the Sixteenth Session of the Assembly.....	23
II. Subject List of Assembly ("A") Documents.....	24
III. Texts of the Resolutions adopted by the Assembly.....	26

## Report of the Canadian Delegates to the Sixteenth Assembly of the League of Nations

---

GENEVA, October 15, 1935.

The Right Hon. W. L. MACKENZIE KING, M.P.,  
Secretary of State for External Affairs,  
Ottawa.

SIR,—We have the honour to submit the following report on the proceedings of the Sixteenth Ordinary Session of the Assembly of the League of Nations which was held in Geneva from the 9th September to the 11th October, 1935.

Fifty-four of the fifty-nine States Members of the League were represented at the opening of the session, those absent being the Dominican Republic, Germany, Guatemala, Paraguay, and Salvador.

The Canadian Delegation consisted of the Honourable G. Howard Ferguson, High Commissioner for Canada in the United Kingdom; Mr. J. H. Woods, Editor; Mr. Edouard Montpetit, Secretary-General of the University of Montreal, with the following as substitute delegates: Miss M. Winnifred Kydd, President of the National Council of Women of Canada; Mr. Walter A. Riddell, Dominion of Canada Advisory Officer accredited to the League of Nations, and Mr. Jean Désy, Counsellor of the Canadian Legation in Paris.

The proceedings of the Assembly were, in accordance with precedent, opened by the President of the Council, M. Ruiz Guinazu, delegate of the Argentine Republic. In his inaugural address, M. Guinazu reviewed the successes of the League in the past year. Hostilities had ceased in the Chaco and the problem raised by the plebiscite in the Saar Territory had been satisfactorily settled. For the first time, an international police force had been created and placed at the League's service. Events, however, had not always been favourable to the League. A great country had left the League of Nations at the end of the notice which it gave two years ago. The work undertaken in the domain of disarmament had come to a standstill. Last spring, the Council had found itself obliged to reassert the principle that scrupulous respect for all treaty obligations is a fundamental rule of international life and a primary condition of peace. Now the Council was faced with the Italo-Ethiopian dispute. If the progress of the League sometimes seemed slow, the conditions in which the League had to perform its work must be borne in mind. Being essentially an organization for collaboration between Governments, the progress of the League depended upon the willingness of the Governments to use its machinery. If the Governments placed their faith in the League, they must be resolved to do all that lies in their power to render the League fully effective.

The officers of the Assembly were elected as follows:—

*President:* M. Eduard Benes (Czechoslovakia)

*Vice-Presidents*

The first delegates of the following seven countries:—

France (M. Pierre Laval)	Belgium (M. Paul van Zeeland)
United Kingdom (Sir Samuel Hoare)	Mexico (M. Marte R. Gomez)
Italy (Baron Pompeo Aloisi)	U.S.S.R. (M. Maxime Litvinov)
Spain (M. Salvador de Madariaga)	

In keeping with the practice of the past three sessions, it was decided that, in view of the fact that the Disarmament Conference is still in session, it was not expedient this year to set up the Third Committee which usually deals with questions of disarmament. The other Committees were convened, as usual, under the Chairmen named:—

- First Committee (Constitutional and Legal Questions):  
M. Limburg (Netherlands)
- Second Committee (Work of Technical Organizations):  
M. Zawadzki (Poland)
- Fourth Committee (Administrative and Budgetary Questions):  
M. Radulesco (Roumania)
- Fifth Committee (Social and Humanitarian Questions):  
Countess Albert Apponyi (Hungary)
- Sixth Committee (Political Questions):  
M. de Valera (Irish Free State)
- Credentials Committee:  
M. Tudela (Peru)
- Agenda Committee:  
M. Motta (Switzerland)

The Chairmen of these Committees, together with the President and the Vice-Presidents of the Assembly, formed the General Committee or Bureau charged with the general direction of the work of the Assembly.

The Canadian Delegation was represented on the Committees as follows:—

- |                         |                         |
|-------------------------|-------------------------|
| <i>First Committee</i>  | <i>Fourth Committee</i> |
| Mr. Montpetit           | Mr. Woods               |
| Miss Kydd               | Mr. Montpetit           |
| Mr. Désy                |                         |
| <i>Second Committee</i> | <i>Fifth Committee</i>  |
| Mr. Woods               | Miss Kydd               |
| Mr. Riddell             | Mr. Désy                |
| <i>Sixth Committee</i>  |                         |
| Hon. G. H. Ferguson     |                         |
| Mr. Riddell             |                         |

The Assembly adopted the agenda drawn up by the Secretary-General and set forth in Appendix I to this Report. It decided, however, to refer to its next session Item No. 10, the prohibition under the provisions of the Covenant of the supply of arms and war materials to belligerents, and Item No. 11, the amendment of the Covenant of the League in order to bring it into harmony with the Pact of Paris.

- Ten new questions were added to the agenda by the Assembly itself, namely:
- The work of the International Institute at Rome for the Unification of Private Law (Proposal by the Italian Delegation);
  - Study of the Problem of Nutrition (Proposal by twelve delegations);
  - Mandates (Proposal by the Norwegian Delegation);
  - Entry into Force of the Amendments to the Statute of the Permanent Court of International Justice (Proposal by the Swiss Delegation);
  - Slavery (Proposal by the United Kingdom Delegation);
  - International Relief Union (Proposal by the Delegation of Venezuela);



Requirements for Voting a Resolution requesting an Advisory Opinion from the Permanent Court of International Justice (Proposal by the Delegations of Belgium, the Netherlands, Norway, Sweden and Switzerland);

Appointment of a Successor to M. Fotitch on the Administrative Board of the Staff Pensions Fund of the League of Nations (President's proposal);

Acceptance of the Resignation of Mr. Frank B. Kellogg, Judge of the Permanent Court of International Justice (President's proposal);

Dispute between Ethiopia and Italy: Coordination of Measures under Article 16 of the Covenant (Proposal of the General Committee).

#### GENERAL DISCUSSION ON THE WORK OF THE LEAGUE

It is the practice at the commencement of the Assembly to discuss, in plenary meeting, the annual report of the Secretary-General on the work of the League since the last ordinary session of the Assembly.

No part of the report this year was given more attention than the chapter devoted to the threat to peace involved in the Italo-Ethiopian dispute.

The discussion was begun by Sir Samuel Hoare of the United Kingdom delegation who sounded a note of quiet firmness which made a deep impression. In the first place he defined the rights of small nations and the functions and duties of League membership in words which lost nothing by their studied moderation. From the affirmation of ideals he passed to the consideration of practical means by which these could be made effective, with the conclusion that collective security, the reduction of armaments, respect for treaty obligations and elasticity in their application were the keys to world order.

In a passage which aroused widespread interest the British Foreign Secretary discussed the problem of raw materials. He pointed out that some countries, either in their native soil or in their colonial territories, possessed what appears to be a preponderance of advantages and that others who were less favoured viewed the situation with anxiety. He suggested that the situation be investigated and, if possible, an endeavour made to right it. So far as the United Kingdom was concerned, it was ready to take its share in an investigation of these matters. The enquiry should be limited to raw materials from colonial areas, including protectorates and mandated territories. Obviously, however, such an enquiry required calm and dispassionate consideration, which war and threats of war rendered impossible.

Lastly, he re-affirmed the fidelity of the British Government and nation to the principles of the League and their determination to preserve them. "The League stands," he said, "and my country stands with it for the collective maintenance of the Covenant in its entirety, and particularly for steady and collective resistance to all acts of unprovoked aggression."

The Ethiopian delegate, who followed Sir Samuel Hoare, made a dignified appeal to the humanity of "all men and women of goodwill." Ethiopia, he said, placed her faith in recognized international procedure. She identified her cause with that of the League itself. Her Sovereign was prepared to accept any reasonable suggestion in the spirit of high conciliation by which he was moved. He was prepared to make the largest allowance to the demands of modern civilization and to the legitimate interests of all nations. In conclusion, M. Hawariate requested that an international commission of inquiry be set up which would examine the substance of the complaints brought against Ethiopia.

M. Laval, delegate of France re-affirmed his country's allegiance to the League. "France," he declared, "is loyal to the Covenant; she cannot fail to carry out her obligations."

Speaking on behalf of the Soviet Union, M. Litvinov said that his country would be second to none in the loyal discharge of the international obligations which it had assumed. The Soviet Government was in principle opposed to the policy of spheres of influence; for it the only question was the defence of the Covenant as an instrument of peace. If the Governments represented at the Assembly agreed to make use of the Covenant in all cases of aggression, irrespective of their origin or their object, the Sixteenth Assembly would become a landmark in the history of the League.

On behalf of the Government of Canada, the Head of the Canadian Delegation made the following declaration of principle:

Canada (he said) believes the League of Nations is an indispensable agency for world peace. We cannot agree that any Member is warranted in resorting to war to enforce its claims in violation of its solemn pledges to seek and find a peaceful settlement of every dispute. We hope that an honourable and peaceful solution of the Ethiopian controversy will yet be reached. If, unfortunately, this proves not to be the case, Canada will join with the other Members of the League in considering how, by unanimous action, peace can be maintained.

The delegates of the Irish Free State and of the Union of South Africa spoke strongly in support of the Covenant. Representatives of the other Dominions took a similar position.

The debate showed that the smaller States, with the exceptions of Austria and Hungary, were prepared to support the application of the Covenant to the present dispute and that Italy, in her Abyssinian adventure, had isolated herself and concentrated the full force of world opinion against her policy.

#### ELECTIONS TO THE COUNCIL

The three non-permanent seats on the Council, made vacant by the retirement of Czechoslovakia, Mexico and Poland on the expiration of their three years' term of office, were filled on 16th September by the election of Ecuador and Roumania and the re-election of Poland for the three years ending in 1938.

#### ELECTION TO THE PERMANENT COURT

On 14th September, the Assembly and the Council, voting simultaneously, elected M. Harukazu Nagaoka a judge of the Permanent Court of International Justice in succession to the late M. Mineitciro Adatci, also a Japanese.

#### FIRST COMMITTEE

##### (Constitutional and Legal Questions)

##### *Interpretation of Article 14 of the Covenant*

On various occasions, the Council of the League of Nations, when it has been proposed to request an advisory opinion from the Permanent Court of International Justice, has encountered divergences of opinion among its members regarding the conditions of voting of such requests. It has never settled this difficulty. In practice, it has applied to the Court only when its members were unanimous in wishing to do so.

The delegations of Belgium, the Netherlands, Norway, Sweden and Switzerland referred to the recommendation voted by the Assembly in 1928, by the terms of which recommendation the Assembly had requested the Council to make a study of the question as to whether the Council or the Assembly might, by a simple majority, ask for an advisory opinion within the meaning

of Article 14 of the Covenant of the League of Nations. They proposed that the Council be asked to give effect to the recommendation of 1928 and to recommend that, if the Council remained divided on this question of principle, it should submit the point to the Permanent Court of International Justice for an opinion.

The first part of this proposal aroused little opposition; when put to the vote, it was adopted unanimously though in a somewhat modified form.

The second part of the proposal encountered lively opposition. Not only was the binding nature of such an opinion denied, but the view was expressed that the Permanent Court of International Justice could not decide on a question submitted to it in an abstract and general way and not in connection with a concrete case. In these circumstances, the Committee unanimously decided to drop for the present that part of the proposal.

### *Rules of Procedure of the Assembly*

The first Committee considered the question whether the Assembly should adopt as a permanent part of its Rules of Procedure the two rules which, by its resolution of 11th October, 1933, it put in force experimentally for the session of 1934. These rules provided respectively:

- (a) For the possibility of the Finance Committee (Fourth Committee) being convened before the opening of the session; and
- (b) For the adoption without debate, at plenary sessions of the Assembly, of reports of Committees which the Committees themselves had unanimously declared suitable for this procedure, and the discussion of which was not demanded subsequently by any delegation.

The procedure created by the first-mentioned rule has not been used. The First Committee felt that more time was necessary for judging the utility of this rule. It accordingly recommended that it be maintained for the year 1936, leaving the Assembly to take a final decision at its next session.

The advantages of the second rule, on the other hand, have been sufficiently demonstrated by the experience of the session of 1934. The Committee recommended, therefore, that it be inserted definitely in the Rules of Procedure of the Assembly (New Rule 14 (a)).

The Assembly was called upon to take a special decision on 11th September to secure the collaboration of the first delegate of the Union of Soviet Socialist Republics on the General Committee. To prevent a repetition of this situation the Assembly, on 21st September, referred a note by the Secretary-General to the First Committee in which certain amendments in the Assembly's Rules of Procedure were suggested. The chief object of these amendments was to make the first delegate of each of the States holding a permanent seat on the Council an *ex officio* member of the General Committee.

During the debate on this subject, the Norwegian delegation placed before the Committee a proposal for a committee for the nomination of candidates, whose function would be to facilitate arrangements for elections at the commencement of each Assembly, without, however, imposing any restrictions on the Assembly's freedom of action.

After a full discussion, the Committee found that questions of principle had been raised and, furthermore, that the details of the contemplated changes would require careful examination. It was decided to advise the Assembly to adjourn the question to its next session. In the interval, the Governments would have time to study the problems raised in the discussion in the First Committee, with a view to arriving at a practical result next year.



*Statute of the Permanent Court of International Justice*

On the Swiss delegation's proposal, the Assembly referred the question of the coming into force of the amendments voted in 1929 to the Statute of the Permanent Court of International Justice to the First Committee. Observing that these amendments had been ratified by almost all the States whose ratification was necessary (Canada on 28th August, 1930) to enable them to come into force, and that the States whose ratifications were necessary (Brazil, Panama and Peru) had indicated an intention to ratify, the First Committee requested the Council to take the necessary steps to bring the amendments into force on 1st February, 1936, provided that States which had not ratified had raised no objection to such a procedure before the date in question. The date of 1st February was fixed in consideration of the fact that this is the date of the opening of the ordinary session during which the Court will probably undertake the second reading of a revised draft of its Rules.

*Nationality of Women*

The First Committee devoted three out of its eleven meetings to the discussion of the question of the nationality of women. A large number of the delegations who took part in the debate, namely, U.S.S.R., Chile, China, Cuba, Mexico, the Little Entente, Norway, Sweden, Turkey, and Uruguay, accepted and upheld the principle of sex equality in regard to change in nationality.

Certain delegations intimated that their Governments could not accept the principle that the nationality of a married woman should be independent of that of her husband. They referred, in particular, to the effects which a difference of nationality between husband and wife might have on the unity of the family, and on the wife's civil rights and her position in time of war.

An intermediate attitude was adopted by several delegations, who said that their Governments did not consider any further action to be possible at the present time in the direction of equality of the sexes in respect of nationality going beyond the provisions of the Convention signed at The Hague in 1930, owing to the prevailing wide differences of opinion.

The Canadian delegate on the First Committee emphasized the value of the Hague Convention and urged the importance of bringing it into force at an early date. He suggested that the champions of equal rights for both sexes in the matter of nationality should do their utmost to ensure that the solutions adopted at The Hague were embodied in the legislation of each country. The League could then take further steps in a spirit of justice and freedom.

As a conclusion to the debate, the Committee proposed that the Assembly adopt a resolution, drawing the attention of the Members of the League of Nations to the fact that the Montevideo Convention was open to accession by all States, renewing its recommendation that the States which signed the Hague Convention of 1930 should deposit their ratifications at an early date, and leaving the Council to decide when the time was ripe for further concerted international action.

*Status of Women*

The question of the status of women was placed on the First Committee's agenda as a result of a communication from a number of delegations to the President of the 1934 Assembly. The communication called attention, in particular, to the Treaty on Equality of Rights of both men and women, signed by the Governments of Uruguay, Paraguay, Ecuador, and Cuba on 26th December, 1933, at the Seventh Pan-American Conference held at Montevideo.

The Treaty on Equality of Rights is open for accession by all States. Its enacting Article reads as follows:

"The contracting States agree that, upon the ratification of this Treaty, men and women shall have equal rights throughout the territory subject to their respective jurisdiction."

The Committee considered that the question of the legal equality of the sexes as raised by the Treaty of Montevideo could be conveniently discussed under two heads—namely, (1) the political and civil status of women and (2) the status of women as regards conditions of employment. It was suggested that the second of the two questions should be treated as falling within the sphere of action of the International Labour Organization.

As regards the political and civil aspect of the question, a number of delegations accepted and supported the principle of the Montevideo Treaty. Other delegations thought that while Governments might accept the principle of equality generally, they would not be disposed to apply such a principle in connection with any particular subject matter without a prior examination of the effect of its application. The Italian and Swiss delegations expressed the opinion that the matter fell within the exclusive jurisdiction of each State.

As a result of the discussion, the Committee decided that the question of the political and civil status of women should be referred by the Secretary-General to the Governments for their observations (including observations as to the action which, in their view, the League might take in this matter) and that Governments should be requested to supply the Secretary-General with information as to the existing political and civil status of women under their respective national laws, together with their observations.

### *Pan-American Union*

In accordance with the request submitted by the Colombian delegation to the 1934 Assembly, the question of the relations between the League of Nations and the Pan-American Union was considered by the First Committee.

The Colombian proposal aimed at instituting a study of the most suitable methods of co-operation between the League of Nations and the Pan-American Union.

The First Committee also took note of a resolution adopted at the Seventh Pan-American Conference at Montevideo in 1933, by the terms of which a study of the activities and methods of co-operation of the Pan-American organization with non-American States and bodies should be undertaken with a view to the consideration of this question at the Eighth Pan-American Conference, which is to meet at Lima.

In view of this resolution, the Committee came to the conclusion that it was necessary to await the outcome of the work undertaken by the Pan-American Union before proceeding to a more detailed examination of the Colombian proposal. It considered it advisable, however, that such relations for mutual information as might prove desirable should be maintained between the Secretary-General of the League of Nations and the Director-General of the Pan-American Union.

During the discussion, the Canadian Delegate on the First Committee pointed out that while Canada was not a member of the Pan-American Union, the Canadian Government followed the work of the Union sympathetically. He supported the resolution adopted by the Committee.

### *Unification of Private Law*

On the proposal of the Italian Delegation, the Assembly had asked the First Committee to consider the passages in the Secretary-General's report relating to the International Institute at Rome for the Unification of Private Law.

The Institute was established and is maintained by the Italian Government in accordance with the offer which it made to the League in 1924 and the agreements reached with the Council in 1926. It was not, however, until 1927 that the Governing Body was appointed by the Council of the League and its inaugural meeting was held on 30th May, 1928. Since that date, the work of the Institute has been brought to the knowledge of the Members of the League and the Assembly by its own annual reports and by the accounts of its activities given in the successive reports on the work of the League. The 16th Session was, however, the first occasion on which any discussion regarding its work had taken place in the Assembly.

This session was a suitable occasion for the consideration of the Institute's work by the Assembly, since it had just submitted to the Council, and the Council had presented to the Governments for their observations, the first two preliminary draft uniform laws which it elaborated, relating respectively to the sale of movable property and the responsibilities of hotel-keepers. The object of these drafts is to facilitate international economic and commercial relations by providing them with a firmer legal basis. The Committee proposed that the Assembly invite Governments to give them early and favourable consideration.

The Committee's attention was also called to the fact that the Institute has accomplished an important piece of work by carrying through the preparatory work for drafting a law relating to the unification of the procedure of arbitration under private law, and is working upon two further questions—namely, the conclusion of contracts between absent persons and the civil responsibility of automobilists.

The Committee also noted the information given in the report on the League's work regarding the collaboration of the Institute in the matter of intellectual rights and the assistance which it has given to various League organizations.

## SECOND COMMITTEE

(Economic, Financial, Transit and Health Questions)

### *Economic and Financial Questions*

With the help of three important reports prepared by the Economic and Financial Organization, the Second Committee made a useful survey this year of the international trade situation. The reports concerned Clearing Agreements, Agricultural Protectionism, and the Present Phase of International Economic Relations.

The Committee noted that the economic situation has no doubt improved in the last two years, but that recovery is unevenly spread throughout the world. It is, they pointed out, lacking in breadth and uniformity. In many countries a discrepancy has been evident between domestic recovery and the continued depressed state of foreign trade. Too often the resumption of industrial activity has been dependent upon the manufacture of war material and army reorganization. Again, the decline in unemployment has been due almost everywhere to direct intervention by the public authorities. On the whole, experience has shown that recovery cannot go beyond certain limits unless it is supported and fostered by international trade, the restoration of which can be the outcome only of international co-operation.

The discussion in the Committee showed that most Governments are fully convinced of the necessity for intensifying foreign trade and, in certain cases, of modifying their commercial policy, subject to the condition that they will be followed by the other countries and that currencies will remain sufficiently stable so that the development of normal commercial transactions will not be hampered.



This latter condition shows the importance of understanding the relationship which exists between commercial policy and the monetary problem. The relationship of these two fundamentals naturally received much attention in the Committee's debates. The general feeling was entirely in favour of the restoration of a stable purchasing power, both internal and external. All agreed that the final object must be the return to an international monetary standard, that is, the gold standard.

In this connection, the Committee noted with great satisfaction that the pound sterling has remained relatively stable in terms of gold for some time past and that the American dollar has been in much the same position for almost two years. This consideration led the Committee to conclude that there is at the present moment a *de facto* position which, by allaying the fears of the other countries, is quite naturally preparing the way for the indispensable reversal of commercial policy.

Encouraged by these prospects, the members of the Committee expressed the hope that, as soon as circumstances—political and other—permit, the position will be examined objectively, in the first place by the countries chiefly concerned, with a view to ascertaining whether it is possible to contemplate for a stated period a *modus vivendi* in which monetary and commercial factors will both play their part.

They considered that, until the moment is favourable for this more comprehensive task, great progress can be achieved by the establishment of co-operation on a bilateral basis between the different countries. This common conviction is expressed in a resolution urging Governments to promote world trade by the conclusion of bilateral agreements embodying the most-favoured-nation clause.

After examining the results of the enquiries already begun and of other work carried out by the Economic and Financial Organization, the Second Committee made certain recommendations with regard to clearing agreements, international loan contracts, and agricultural production.

As regards the clearing system, the Committee agreed that this can be no more than an expedient or makeshift involving numerous drawbacks, and that it should be abolished as soon as possible. It accordingly asked the Council to consider the desirability of organizing, in co-operation with the Bank of International Settlements, a consultation by competent persons with a view to the devising of means for promoting the application of the suggestions made last April by the Joint Committee on Clearing Agreements.

Recognizing that difficulties have arisen for international loan contracts from the variety and, in many cases, the uncertainty of their provisions, the Second Committee invited the Council to arrange for the designation of a committee of legal and financial experts to examine the means for improving contracts relating to international loans issued in the future by Governments or other public authorities and in particular to prepare model provisions—if necessary, with a system of arbitration—which could, if the parties concerned so desired, be inserted in such contracts.

The Economic Committee's Report on Agricultural Protectionism brought out the contrast existing between the necessity of moderate agricultural protection experienced by many countries and the dangers of excessive protection. The discovery of a reasonable dividing-line between these two extremes is, they affirmed, one of the main problems which must be solved if international economic co-operation is to be restored. The Second Committee therefore considered it important that the representatives of agricultural interests should have an opportunity to defend their case, but that they should, at the same time, be called upon to take their share of responsibility in the work of increasing agricultural or other imports and exports. For these reasons, the Committee

proposed that the Economic Committee of the League of Nations resume consultations of agricultural experts such as those which gave interesting results in 1930 and 1931.

### *Communications and Transit*

The Second Committee reviewed the work of the past year of the Communications and Transit Organization. Special reference was made to the problem of the pollution of the sea by oil, as well as the questions of national public works and transport co-ordination.

The Committee considered that the subject of the pollution of the sea by oil was one suitable for solution by an international convention and therefore requested the Council to instruct the Communications and Transit Organization to take steps to complete the preparation of a draft and to submit it to Governments for consideration. It also invited the Council to convene an international conference at an appropriate time.

At the fourteenth session of the Assembly, the Organization had pointed out the interest to be attached to a continuous study of the public works undertaken by States on their own initiative without making an appeal to foreign capital. The importance of this question prompted the Assembly to request information from the Governments of all countries concerning national public works recently executed, or in course of execution. The particulars elicited by this enquiry have been published in a volume, to which is added a supplement of almost equal size. The Second Committee, appreciating the interest of the material thus collected, asked the Organization to arrange for a close and systematic examination of it by experts, so that more detailed inquiries might be made subsequently.

The co-ordination of transport, and more especially of railway and road transport, is occupying the special attention of many Governments at the present time. As a result of the rapid progress in new means of transport, such as motor-cars and aircraft, a large number of countries have found it necessary to take measures of various kinds, partly on economic grounds, but partly also to meet the requirements of national defence or financial or social conditions.

The Second Committee, noting the importance of the question, asked the Communications and Transit Organization to study the situation and the measures taken, on the understanding that the problem of transport co-ordination should be viewed in its widest aspects, namely, technical, economic and financial.

The Committee had before it the second annual report of the League Radio Station ("Radio Nations"), which serves both for telegraphic and telephonic communication and broadcasting. The delegate of Canada took this opportunity to stress the value and importance of "Radio Nations" in the dissemination of news. The public of the world needed to be informed of the day-to-day work of the League Organizations. He hoped the League Secretariat would maintain and extend its relations with the world press and continue to develop its broadcasting service.

### *Health*

The work of the Health Organization was reviewed for the Committee by its Rapporteur, M. Soubbotitch (Yugoslavia), who pointed out that the three salient features of the Organization's work are continuity, practical utility and universality.

Much of the work on which the Organization is engaged has been under way for a number of years. For example the Service of Public Health Statistics was established in 1921. The work of the Organization extends to all continents. At the present moment the Organization is making preparations for a Conference on Rural Hygiene in the Far East.

As regards the results achieved, special reference was made to certain branches of the work being carried on. From studies in the biological assay of certain therapeutic agents, international standards have been obtained, samples of which are procurable through the Secretariat. In the field of epidemiological intelligence, an endeavour is made to supply the Administration of each country with timely information concerning the health situation in neighbouring countries. At Singapore, the Organization has established a Bureau whose epidemiological bulletin is broadcast weekly by ten wireless stations. The Malaria Commission has accumulated a fund of specialized technical knowledge. It has organized international courses in malariology. The Health Committee has recently completed an inquiry into the treatment of syphilis and has formulated methods of treatment which should give satisfactory results in ordinary cases.

Attention was drawn during the discussion of the report to certain schemes for solving the problem of the housing of the unemployed. The Committee welcomed the proposal made by the Italian delegate that an International Exhibition of Rural Housing be held at Rome. The proposal was referred to the Health Committee for consideration.

The various delegates who spoke all paid tribute to the work of the Health Organization, and a resolution was unanimously adopted noting with satisfaction that Governments on all continents are making ever-increasing use of the services of the Health Organization and are affording it a growing measure of support in the discharge of its duties.

### *Nutrition*

The proposal put forward by twelve delegations that the League extend its work to study the problem of nutrition in its relation to public health gave rise in the Second Committee to a discussion which lasted for three days and in which twenty speakers took part.

Mr. Bruce (Australia), who moved the resolution, emphasized the truth contained in the paradox of a glutted market for the farmer on the one hand, and insufficient nourishment in the "protective foodstuffs" (meat, milk, fruit, green vegetables) for a substantial portion of mankind, on the other.

The discussion concentrated on the need for a thorough-going nutrition policy. As one delegate said, it was a question of bringing the excess foodstuffs within the reach of those who have not at present the means to buy them.

Information was provided by some of the delegates with regard to what is already being done in that direction in their own countries. The delegate of Canada stated that, in parts of Canada, school children were supplied with daily rations of milk, while great importance was attached to the preparation of standard diets suitable for persons with small incomes.

Many delegations raised the vital question of the spread in prices between producers and consumers and urged the importance of reducing costs of distribution.

Others emphasized the prevalence of ignorance which, together with poverty, is the cause of malnutrition, not only in the poorer classes, but even in the well-to-do classes.

The proposal for an enquiry, as set forth by the delegate from Australia, met with unanimous approval. The Second Committee therefore recommended that in the first place the Health Organization be asked to continue and develop its work of investigation into nutrition. Concurrently with this, the other technical organizations of the League were instructed to continue their enquiries into the other aspects of the problem—the economic and the financial aspects—in consultation with the International Labour Office and the International Institute of Agriculture. In view of the interdependence of the multiple aspects of the



problem, the Committee further asked the Council to appoint a committee to prepare a general report on the whole problem for the next Assembly.

### *Constitution and Working of League Committees*

The Second Committee had before it for approval the report of the Committee appointed by the Council, in accordance with the Assembly resolution of 27th September, 1934, to study the constitution, practice and procedure of League Committees with a view to proposing corrections, adjustments and improvements.\*

The Second Committee declared itself to be in general agreement with the terms of the Special Committee's report, and requested the Council to take steps to carry out the general suggestions contained in it. It was of the opinion that these suggestions should be regarded as a statement of principles which the Council could adopt even in the case of committees to which the report of the Special Committee did not refer.

The Second Committee also asked the Council to bear in mind certain proposals of the Special Committee dealing with the terms of reference of the Financial Committee and adopted the suggestions concerning the transformation of the Bureau of the Health Committee. It decided to postpone the question raised by the Special Committee as to whether a new body having powers of initiative and co-ordination should be created for questions connected with economies, finance and communications.

### FOURTH COMMITTEE

#### (Administrative and Budgetary Questions)

#### *Financial Position of the League*

The Fourth Committee, whose task is to see that the Assembly's decisions are executed as economically as possible, began its labours this year under fortunate auspices. The efforts at rationalization undertaken at its suggestion have yielded appreciable results, which were reflected both in the accounts and in the draft budget.

The audited accounts for the financial period 1934 showed a cash surplus of 3,878,641 gold francs, and the contributions paid during the first eight months of 1935 represent the highest proportion that has ever been attained by August 31st. It is therefore anticipated that the accounts for the current year will also close without a deficit.

Furthermore, thanks to the efforts of the Committee appointed by the 1934 Assembly, and to the co-operative spirit displayed by the Governments concerned, considerable progress has been made during the past year in the matter of contributions in arrears. There is every reason to hope that, in future, not only current contributions, but also payments in respect of arrears—reduced as they have been in proportion to the present payment capacity of the debtor States—will come in more regularly.

The Committee on the Settlement of Contributions in Arrears has concluded arrangements with ten States (Bolivia, Bulgaria, Chile, China, Cuba, Honduras, Hungary, Liberia, Peru, and Uruguay) for the payment of the balance of their overdue contributions. In approving these arrangements, the Fourth Committee emphasized that they were made on the understanding that failure to pay the current contribution as well as an instalment under the

\*The report has been issued as League document A.16.1935. Among the nine members composing the Special Committee was Dr. W. A. Riddell, Dominion of Canada Advisory Officer accredited to the League of Nations.

arrangement for settlement of arrears would *ipso facto* cancel the arrangement and revive the debt in full.

The Fourth Committee invited the Committee to continue its efforts to reach agreements with States with whom as yet none had been concluded.

### *Budget for 1936*

The Fourth Committee succeeded in substantially reducing the charges imposed on Members of the League, while maintaining the League's administrative organization intact, providing reasonable funds for its main activities and meeting considerable extra expenditure on new humanitarian work.

A month before the session began, the French Government informed the Secretary-General that it would instruct its representative on the Fourth Committee to press for such a reduction in the 1936 budget as would permit of a reduction of 10 per cent in the contributions of States Members.

In reply, the Secretary-General called attention to the considerable reductions that had been made in estimates and in actual expenditure between 1932 and 1936, amounting to 4,254,562 francs for the estimates; during the same period, expenditure had been reduced by 27·6 per cent for the Secretariat, and 14 per cent for the League as a whole. The Secretary-General added that in spite of the loss of contributions from Japan and Germany the proposed contributions for 1936 would be slightly reduced as compared with those for 1935, in consequence of further savings, and that the States Members would be spared the necessity of making good the share of the States withdrawing from the League. The reduction would be equivalent to 8 per cent of their contributions.

The French Government's proposal was officially laid before the Fourth Committee at the opening of the general discussion, and was followed at the next meeting by a counter-proposal pointing out the large savings effected in the estimates and recommending that the French Government's request should be considered when the budget for 1937 was drawn up. The Committee accordingly decided to refer the whole question to the Supervisory Commission for consideration and report.

The Supervisory Commission drew up a report providing for reductions in three directions:

	Gold Francs
1. Postponement until 1937 of the construction of one of the two new wings of the International Labour Office building. . . . .	700,000
2. Reductions in the budget:	Gold Francs
(a) Secretariat. . . . .	400,000
(b) International Labour Organization. . . . .	150,000
(c) Permanent Court of International Justice. . . . .	200,000
	<hr/>
	750,000
3. Additional refunds to States Members. . . . .	500,000
	<hr/>
Total reduction in contributions. . . . .	1,950,000

The Fourth Committee adopted the Supervisory Commission's conclusions and proceeded to examine the details of the reduced budget.

A number of speakers again drew the Committee's attention to what it has become usual to call "over-budgeting." The budget includes, each year, credits for essential purposes such as the unforeseen expenditure of the Council, the Conference for the Reduction and Limitation of Armaments, the Monetary and Economic Conference and inquiries, on all of which items substantial economies have been regularly effected in the past. It was asked whether the time had not come to create a reserve fund to remedy a position which, at the beginning, was partly justified by the inadequacy of the receipts in respect of contributions.

The Fourth Committee therefore decided to devote a portion of the surplus for 1934 and the amount received in respect of arrears due up to December 31st, 1932, to the creation of such a fund. From this fund it would be possible to

make good any deficiencies in the budgets of the Secretariat and the Permanent Court of International Justice, which have been reduced by 400,000 and 200,000 francs respectively. In the view of the Supervisory Commission, the creation of this new fund should in future make it possible to carry the policy of curtailing credits even further, and thus permit of further reductions in the budgets of all Member States.

A great many delegates raised the question of salaries. The question, in so far as permanent contracts are concerned, was settled by the report of the Committee of Jurists in 1932, but delegates were unanimous in urging that wherever reductions were legally possible they should be made. The Chairman of the Supervisory Commission assured them that the Commission would continue to exercise particular vigilance in this matter.

As regards the question of the recruitment and promotion in the grade of members of section, the Fourth Committee had before it a counter-proposal by the Polish delegation providing for a basic salary and periodical increments lower than the figures proposed by the Supervisory Commission. A number of delegations endorsed this proposal. It was agreed that it should be studied by the Supervisory Commission with a view to a report to the next Assembly.

In reply to an observation regarding the presentation of the budget, the Chairman of the Supervisory Commission stated that the Commission would consider whether further improvements were possible, more particularly by the insertion of more numerous cross-references.

The Fourth Committee noted with satisfaction that the Administrative Board had decided that a fresh actuarial valuation of the Staff Pensions Fund should be made early in 1936 and that a report containing a complete statement of the position and taking into full account the depreciation of securities should be put before the Assembly at its next ordinary session. It will then be possible to determine what action, if any, can be taken to remedy effectively a situation which is a matter of grave anxiety and concern.

The total sum approved for the 1936 budget is 28,279,901 francs, being 2,359,763 francs less than the figure for 1935 and about 800,000 francs less than the original figure, in spite of the supplementary credits approved during the discussion.

It is divided as follows:—

	Gold Francs
Secretariat . . . . .	14,591,635
International Labour Organization . . . . .	6,699,450
Permanent Court of International Justice . . . . .	2,321,200
Permanent Central Opium Board . . . . .	119,463
Nansen International Office for Refugees . . . . .	270,000
Buildings in Geneva . . . . .	2,334,000
Pensions . . . . .	1,544,153
Assyrians of Iraq . . . . .	400,000
Total . . . . .	<u>28,279,901</u>

### *Apportionment of Expenses*

For the purpose of the apportionment of expenses, the amount of 28,279,901 must be reduced by the sum of 1,488,442·77 gold francs, representing the proportion of the 1934 surplus refunded to States in accordance with a decision of the Fourth Committee. The net amount to be contributed by Member States in 1936 is therefore 26,791,458·23 gold francs divided into 931 units, each unit amounting to 28,777·10 gold francs. The contribution for which Canada is liable in 1936 is 35 units or 1,007,197·65 gold francs, as compared with 1,060,312 francs in 1935.

A special Committee was set up to consider the whole question of allocation of expenses in order to place before the Assembly at its next session a revised scale, which, it is hoped, may constitute a satisfactory settlement of a long-debated question.



## FIFTH COMMITTEE

(Social and Humanitarian Questions)

*Traffic in Opium and Other Dangerous Drugs*

The Fifth Committee, in reviewing the progress of the campaign against the abuse of opium and other narcotic drugs, approved of the methods employed by the organs of the League set up for this purpose.

The Committee was gratified to note, in particular, that the Supervisory Body set up under the 1931 Convention had been able to apply the estimates system efficiently. Being desirous of facilitating this Body's work in every way, it recommended Governments in future to furnish their estimates punctually and, if possible, before the prescribed date.

The generalization of the system of statistics and the ever stricter supervision of the manufacture of drugs have had the effect that authorized manufacture is tending to adapt itself to legitimate needs. The escape into the illicit traffic of large quantities of drugs originating from authorized factories has ceased, but the illicit traffic has none the less continued, owing to the intensification of clandestine manufacture. As the Canadian delegate pointed out, a rapid increase in the clandestine manufacture of heroin had taken place in the Far East and was a serious menace to the North American continent, which ran the risk of an invasion of narcotic drugs. While appreciating highly the results so far obtained, the Fifth Committee considered that efforts must be redoubled and adapted to meet all new developments.

In view of the extension of clandestine manufacture and the persistence of the illicit traffic, the Fifth Committee emphasized the fact that the universal application of the various International Opium Conventions was essential for the success of the campaign against the abuse of narcotic drugs. It therefore made a further appeal to Governments that had not yet become parties to these Conventions.

Considering that practically all countries in the world, except a majority of the South American countries, send in useful annual reports, the Committee expressed the hope that the Governments of these countries would see their way to extending to the League the same co-operation in this respect as other Governments.

On the subject of limiting the production of raw opium and the coca leaf, the Committee observed that the principal producing countries had not yet supplied information to the Secretariat to enable the matter to be at once considered at a special Conference or otherwise. It therefore requested States concerned to forward this information with the least possible delay.

Among the questions receiving the attention of the League organs, the Fifth Committee noted especially the decision taken at the suggestion of the representatives of Canada and the United States on the Opium Advisory Committee to take up for study the use of postal facilities by drug traffickers.

In view of the importance of securing data as to the extent of addiction and the quantity of drugs consumed annually by addicts in various countries, the Fifth Committee thought that information should be collected on the subject, and expressed the hope that Governments would endeavour to supply this information.

Almost every delegate who spoke stressed the necessity of counteracting drug addiction by an intensive educational campaign and propaganda against the abuse of narcotic drugs. The Fifth Committee was convinced of the urgency of measures of this kind being taken and held it to be indispensable that a joint international plan should be drawn up and that the work necessary to carry such a plan into effect should be co-ordinated.

*Traffic in Women and Children*

The Fifth Committee learned with satisfaction that the difficulties of the present time had not held up the progress of international legislation for the suppression of the traffic in women and children. The most recent of the three instruments concluded in this sphere—the 1933 Convention for the Suppression of Traffic in Women of Full Age—has definitely been acceded to by thirteen countries.

The Committee regretted that the annual reports of the Governments under the first two Conventions had been submitted by only a little more than half of the Members of the League of Nations in the last few years. It wished to remind the Governments that these annual reports were of the greatest assistance to the League in the task entrusted to it by the Covenant of "general supervision over the execution of agreements with regard to the traffic in women and children."

The abolition of licensed houses, the rehabilitation of their inmates and the position of Russian women in the Far East were the questions most discussed in the subsequent debate. The Committee authorized the Secretary-General to appoint an agent of the League and to encourage and co-ordinate efforts on behalf of women of Russian origin, provided, however, that no financial charge should thus be involved for the League.

The Committee also proposed that the Assembly instruct the Secretary-General to make preparations for the holding at the beginning of 1937 of a Conference of the authorities who are responsible in Eastern countries for the measures taken to prevent traffic in women, with a view to securing closer co-operation and a greater exchange of information between them.

*Child Welfare*

The Fifth Committee expressed the wish that all countries that have hitherto tolerated the imprisonment of children in any form whatsoever should aim at abolishing this system, replacing it in the case of delinquent minors by suitable measures of a purely educative character.

Noting that the maximum age at which minors are regarded as criminally responsible does not coincide in all legislations with the age at which they attain their civil majority, the Committee considered that a study of the age of criminal responsibility would serve a useful purpose.

The Committee considered that a thorough study should also be made of the problem of the cinematograph as recreation for the young. It was pointed out that the problem may be viewed from two standpoints. From a negative standpoint, the problem is how to prevent children from attending cinematograph performances which might have a harmful effect on them. The Fifth Committee was of opinion that the problem of the cinematograph should be viewed from the positive standpoint—that is to say, means should be found of arranging for the production and exhibition of recreational films suitable for children. In connection with this subject, the Committee desired to mention the International Convention signed by twenty-two countries in October, 1933, with a view to facilitating the international circulation of films of an educational character.

As the Information Centre constituted by the Fifteenth Assembly had now begun its work, the Fifth Committee expressed the hope that all Governments would contribute to make the work of the Centre easier by sending regularly the official documentation at their disposal published by central or local authorities.

It considered that the Child Welfare Committee should give attention, at one of its future sessions, to the question of ill-treated children.

The Canadian delegate expressed Canada's appreciation of the invitation to appoint a Government representative on the Child Welfare Committee, and announced that this representative would be Miss Charlotte Whitton, Executive Director of the Social Welfare Council of Canada, who had already attended the Child Welfare Committee as an assessor.

### *Penal and Penitentiary Questions*

Last year's Assembly instructed the Secretary-General to obtain from Governments information relating to the application of the "Standard Minimum Rules" framed by the International Penal and Penitentiary Commission and to reforms brought about in penitentiary matters. Information was accordingly furnished by about twenty Governments, and statements were also made by the Canadian and several other Assembly delegations, consisting either of the reply of their Governments or of further particulars on the same subject.

The representative of Canada stated that the Canadian penitentiary system was in accordance with the spirit of the Standard Minimum Rules. A system of remuneration for convict labour had been put into force in January, 1935. A scheme of segregation was now being tested with a view to giving every possible advantage to prisoners showing any inclination to reform.

The Committee instructed the Secretary-General to request the Governments which accepted the Standard Minimum Rules for the Treatment of Prisoners to give those Rules all possible publicity by means of official publications and otherwise.

### SIXTH COMMITTEE

#### (Political Questions)

#### *Dispute Between Bolivia and Paraguay*

The Sixth Committee received the report of the Chairman of the Advisory Committee on the Chaco and noted with satisfaction that hostilities had finally ceased in that region and that the Peace Conference had begun its work. At the same time there was no disposition on the part of the Committee to take undue credit on behalf of the League for the settlement of this dispute. The Committee contented itself with congratulating the Governments represented at the Peace Conference on the efforts they had made, and expressed its earnest hope that these efforts would result in the complete re-establishment of peace and good understanding between Bolivia and Paraguay.

#### *Mandates*

The Sixth Committee also considered the work done by the League in connection with mandates during the year. Once again it was acknowledged that the Mandates Commission acquitted itself of the task of supervision, with which the Covenant entrusts it, with the utmost vigilance.

Appreciation was also expressed of the conscientious view taken of their responsibilities by the Mandatory Powers.

Referring to the apprehensions aroused by certain movements tending towards the union of mandated territories with adjacent possessions, the delegates of France, the United Kingdom and the Union of South Africa gave assurances that their Governments will do nothing that might in any way prejudice the solution of the problem, and that, should this prove necessary, they will consult the competent authorities at Geneva.



### *Refugees*

At the present time there are three bodies created by the League, though attached to it in different ways, concerned with this problem: (1) the Nansen International Office for Refugees; (2) the High Commission for Refugees coming from Germany; and (3) the Committee of the Council for the Settlement of the Assyrians of Iraq.

In order to co-ordinate and centralize the refugee work of the League, the Norwegian delegation submitted to the Assembly proposals for the establishment of a central organization at Geneva to replace the existing bodies and to enlarge the work of assistance now undertaken. The Sixth Committee studied these proposals carefully, and, while recognizing that they had some merit, there was a disposition to fear that the setting up of an organization of this kind might make permanent a problem which it was hoped would within a few years be liquidated under present arrangements. Some doubt was expressed whether the League as a permanent function could accept the responsibility for refugees. This doubt developed into definite opposition on the part of those States from whose territories, for various reasons, most of the refugees had come. The Sixth Committee, therefore, in view of the conflict of opinion in the matter, merely proposed that the Council should appoint a small committee to report on the question.

After a careful review of the work of the Nansen Office, which is to be wound up in 1939, the Committee made the following recommendations:

- (1) Governments should ratify the 1933 Convention regarding the international status of refugees.
- (2) They should not expel refugees unless they have obtained entrance visas for another country.
- (3) Governments of immigration countries should co-operate with the Office by informing it of the possibilities of settlement in their territories.
- (4) Governments which have not already done so should adopt the Nansen Stamp System and should in addition consider the plan of issuing surcharged postage stamps as a means of raising money for assisting refugees.

### *Slavery*

The Sixth Committee dealt with the question of slavery in response to a request by the United Kingdom delegation. For the first time, it took cognizance of the work done by the Council with the assistance of the Advisory Committee on Slavery set up by the Assembly. There was general appreciation of the work of the Advisory Committee, which has provided the League with fresh material to assist it in making a step forward in regard to the abolition of slavery.

The Council's proposal with regard to the holding of a special session of the Committee in 1936 was warmly supported; but a reservation, chiefly based on budgetary considerations, was nevertheless made.

### *Intellectual Co-operation*

The Committee congratulated the Organization on its excellent administrative and financial management and approved of its programme of work. This programme includes the publication of a collection of ethnographical and historical works on the origin of American civilization, the conclusion of an international convention for the use of broadcasting in the cause of peace, the revision of history text books to ensure impartiality, and the teaching in the aims of the League of Nations.

## APPROVAL OF THE COMMITTEE REPORTS AND RESOLUTIONS

The Reports and draft Resolutions of the Assembly Committees were considered in plenary sessions and approved. For convenience of reference, the text in full of the Resolutions is set forth in Appendix III to this Report.

### FIRST ADJOURNMENT OF THE SESSION

The Assembly completed the ordinary work of its Sixteenth Session on September 28th, but did not close the session. On the advice of its General Committee it decided to adjourn only, in view of the aggravation of the Italo-Ethiopian dispute.

On the same day, the President announced the receipt of a "very important message" from the United States Secretary of State concerning the work of the Assembly relating to economic problems. This stressed the importance of the restoration of normal international trade.

### RESUMPTION AND SECOND ADJOURNMENT OF THE SESSION

The Assembly met again on October 9th to take action on a communication from the President of the Council transmitting to the President of the Assembly the Minutes of the Council meeting of October 7th. The purpose of the communication may be seen from the following extract from the Minutes:

"The PRESIDENT.—I take note that fourteen Members of the League of Nations represented on the Council consider that we are in presence of a war begun in disregard of the obligations of Article 12 of the Covenant.

"Accordingly, the report of the Council Committee and the Minutes of the present meeting will be sent to all the Members of the League of Nations. As the Assembly stated in its resolution of October 4th, 1921, the 'fulfilment of their duties under Article 16 is required from the Members of the League by the express terms of the Covenant, and they cannot neglect them without a breach of their treaty obligations.'

"The Council has now to assume its duty of co-ordination in regard to the measures to be taken. Since the Assembly of the League of Nations is convened for the day after to-morrow, October 9th, 1935, my colleagues will doubtless feel it desirable to associate the Assembly with their task.

"The report of the Council Committee (appointed on October 5th in connection with the dispute between Ethiopia and Italy) and the Minutes of the present meeting will therefore be communicated to the President of the Assembly."

After an exchange of views, the Assembly, on the proposal of its General Committee, adopted on October 10th a resolution which reads as follows:

"The Assembly,

"Having taken cognizance of the opinions expressed by the Members of the Council at the Council's meeting of October 7th, 1935;

"Taking into consideration the obligations which rest upon the Members of the League of Nations in virtue of Article 16 of the Covenant and the desirability of co-ordination of the measures which they may severally contemplate:

"Recommends that Members of the League of Nations, other than the parties, should set up a Committee composed of one delegate, assisted by experts, for each Member, to consider and facilitate the co-ordination of such measures and, if necessary, to draw the attention of the Council or the Assembly to the situations requiring to be examined by them."

Of the fifty-four Members present at the Assembly, three States expressed a contrary opinion (Austria, Hungary, and Italy); a fourth (Albania) spoke against the application of sanctions, and fifty States Members of the League expressed an opinion in accordance with that of the fourteen States Members of the Council, by conveying, either explicitly by their declarations or tacitly, their Government's acquiescence in the report of the Council concerning the events in Ethiopia.

The Co-ordination Committee met on October 11th and on the same day the Assembly adjourned.

We are, etc.,

G. HOWARD FERGUSON  
J. H. WOODS  
EDOUARD MONTPETIT  
M. WINNIFRED KYDD  
W. A. RIDDELL  
JEAN DÉSY



## APPENDIX I

### AGENDA OF THE SIXTEENTH ORDINARY SESSION OF THE ASSEMBLY

*As drawn up by the Secretary General*

1. Election of Officers, Appointment of Committees and Adoption of Agenda.
2. Report on the Work of the League since the Last Session of the Assembly.
3. Election of Three Non-Permanent Members of the Council.
4. Permanent Court of International Justice: Election of a Successor to the late M. Mineitciro Adatci.
5. Procedure of the Assembly—Question of the Maintenance of the Rules temporarily adopted in 1933.
6. Composition of Bodies to which Appointments are made by the Assembly.
7. Committees of the League of Nations.
8. Nationality of Women: Convention on the Nationality of Women concluded on December 26th, 1933, at the Conference of American States at Montevideo.
9. Status of Women.
10. Question of prohibiting, under the Provisions of the Covenant, the Supply of Arms and War Material to Belligerents.
11. Amendment of the Covenant of the League in order to bring it into Harmony with the Pact of Paris.
12. Relations between the League of Nations and the Pan-American Union.
13. Nansen International Office for Refugees.
14. Audited Accounts for the Sixteenth Financial Period (1934) and Auditor's Report thereon.
15. Budget of the League of Nations for the Eighteenth Financial Period (1936).
16. Reports of the Supervisory Commission.
17. Contributions in Arrears.
18. Allocation of Expenses.
19. Report of the Administrative Board of the Staff Pensions Fund.
20. Economic and Financial Work.
21. Communications and Transit.
22. Health Work.
23. Traffic in Opium and Other Dangerous Drugs.
24. Social Work.
25. Intellectual Co-operation.
26. Dispute between Bolivia and Paraguay.
27. International Assistance to Refugees.

## APPENDIX II

## SUBJECT LIST OF ASSEMBLY ("A") DOCUMENTS

Assembly:	
Summons . . . . .	1
Agenda . . . . .	2, 2 (1)
Procedure, Amendments to . . . . .	44, 49, 69
Assyrians of Iraq, Settlement of . . . . .	72
Bolivia and Paraguay Dispute . . . . .	46
Budget for 1934:	
Audited Accounts—	
Secretariat and Special Organizations . . . . .	3
Nansen International Office for Refugees . . . . .	3 (a)
Grants of the Rockefeller Foundation . . . . .	3 (b)
Eastern Bureau of the International Health Organization . . . . .	3 (c)
Budget for 1935:	
Transfers Approved since 15th Assembly Session . . . . .	27
Financial Situation on August 31, 1935 . . . . .	25
Budget for 1936:	
Secretariat . . . . .	4
International Labour Organization . . . . .	4 (a)
Permanent Court of International Justice . . . . .	4 (b)
Nansen International Office for Refugees . . . . .	4 (c)
Supplementary Budget . . . . .	4 (d)
New Work involving New Expenditure . . . . .	26
Allocation of League Expenses . . . . .	29, 74
(See also below under Supervisory Commission, Staff Pensions Fund and Contributions in Arrears.)	
Child Welfare . . . . .	54
Committees of the League, Report of Committee appointed to study the constitution, procedure and practice of . . . . .	16, 70
Communications and Transit Organization . . . . .	47
Report of Operations of League Wireless Station . . . . .	9
Pollution of the Sea by Oil . . . . .	20
Contributions in Arrears . . . . .	15, 73, 76
Council, Elections to . . . . .	30, 40, 41, 42, 43
Covenant of League of Nations, Amendment to bring it into harmony with the Pact of Paris . . . . .	38
Economic and Financial Questions . . . . .	71, 77
European Union, Commission of Enquiry for . . . . .	65
Financial Questions . . . . .	75
Health Organization, Work of the . . . . .	48
Indigent Foreigners, Assistance to . . . . .	55
Intellectual Co-operation . . . . .	59
International Institute for Unification of Private Law . . . . .	28, 66
International Relief Union . . . . .	37, 52
Italo-Ethiopian Dispute . . . . .	78, 79
Mandates . . . . .	32, 50
Nationality of Women . . . . .	7, 19, 19 (a), 19 (b), 53
Nutrition . . . . .	31, 61
Pan-American Union . . . . .	24, 67
Penal and Penitentiary Questions . . . . .	21, 63
Permanent Court of International Justice:	
Elections . . . . .	14, 14 (1), 34, 51
Entry into Force of Amendments to Statute . . . . .	33, 62
Advisory Opinions . . . . .	39, 68

Ratification of International Conventions, Results of Fifth Enquiry by Secretary-General . . . . .	17
Refugees, International Assistance to.....	13, 23, 36, 64
Refugees, Report of Governing Body of Nansen International Office.....	22
Refugees, Russian, Armenian, Assyrian, Assyro-Chaldean, Saar and Turkish.....	45
Secretary-General's Report on the Work of the League since the 15th Session of the Assembly . . . . .	6, 6 (a)
Slavery . . . . .	35, 58
Staff Pensions Fund . . . . .	10, 11
Status of Women . . . . .	8, 19, 19 (a), 19 (b), 60
Supervisory Commission . . . . .	5, 5 (a), 5 (b), 18
Traffic in Opium and other Dangerous Drugs.....	56
Traffic in Women and Children.....	12, 57



## APPENDIX III

### TEXTS OF THE RESOLUTIONS ADOPTED BY THE ASSEMBLY

#### 1. PROCEDURE OF THE ASSEMBLY: QUESTION OF THE MAINTENANCE OF THE RULES TEMPORARILY ADOPTED IN 1933

The Assembly decides as follows:

1. The rule relating to the convening of the Finance (Fourth) Committee, established as an experiment by the Assembly's resolution of October 11th, 1933, shall be maintained for the session of 1936—namely:

“The President of the Council, after consulting the Chairman of the Supervisory Commission, may convene the Finance Committee for a date preceding by not more than one week the first meeting of the ordinary session of the Assembly. The committee shall be composed of the representatives accredited for the purpose by the Members of the League. It shall appoint its Chairman, who shall thereby become a member of the General Committee of the Assembly under the terms of Article 7 of the Rules of Procedure. The establishment of the committee shall be reported to the Assembly at the first plenary meeting of the Assembly.”

2. The Rules of Procedure of the Assembly are amended by the insertion of a new Rule 14 (a), reading as follows:

“Rule 14 (a).

“(i) When the reports and resolutions submitted by the various committees of the Assembly are brought up for adoption in plenary session, the President, in the cases indicated below, shall read the titles of the reports and put forthwith to the vote the resolutions which are proposed.

“(ii) The procedure provided for in paragraph (i) shall only apply in cases where the committee has unanimously declared that it does not consider a discussion of the report in plenary session to be necessary and where no delegation has subsequently asked the President to open a discussion on the report. The report must be circulated to the delegations twenty-four hours before it is brought up in plenary session.”

#### 2. PROPOSED AMENDMENTS TO THE RULES OF PROCEDURE OF THE ASSEMBLY

The Assembly adjourns to its ordinary session of 1936 the examination of the proposals contained in the three documents A.49.1935.V, A.I/17.1935 and A.I/18.1935.<sup>1</sup>

#### 3. ENTRY INTO FORCE OF THE AMENDMENTS TO THE STATUTE OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE

The Assembly,

Referring to its resolution of October 14th, 1932, by which it addressed an urgent appeal to the States concerned to ratify as soon as possible the Protocol of September 14th, 1929, concerning the Revision of the Statute of the Permanent Court of International Justice;

<sup>1</sup>The proposals relate to the composition of the General Committee and to the Agenda Committee.

Recalling further that since January 1st, 1931, and pending the entry into force of the above Protocol, the Court has continued to work under a provisional system set up by the Assembly's resolutions of September 25th, 1930;

Considering it to be in the interests of good administration of international justice and of the part which the Court should play in the life of the nations that the Court should be organized upon a definitive basis;

Observing with satisfaction that the Protocol of September 14th, 1929, has been ratified by almost all the States whose ratification is necessary to bring it into force and that all the instruments of ratification except three have been deposited;

Recalling that Articles 4 and 35 of the Statute, as amended by the Protocol of September 14th, 1929, enable the organs of the League of Nations to regularize in an equitable manner the situation, in regard to the election of members of the Court, of States which, having signed and ratified the Statute, are not Members of the League of Nations;

Considering that, according to the information before the Assembly, the States whose ratifications are necessary have indicated an intention to ratify;

Observing accordingly that the entry into force of the Protocol of September 14th, 1929, seems no longer to encounter any difficulty;

Being anxious to accelerate as much as possible the introduction of a reform the utility of which has been generally recognized since 1929:

Requests the Council to take the necessary measures to put the Protocol into force on February 1st, 1936, if the last instruments of ratification have not been deposited before that date, and on condition that the States which have not already ratified have not in the meanwhile made objection to the contemplated procedure;

Instructs the Secretary-General to communicate the present resolution to the Governments of the States concerned.

#### 4. CONDITIONS OF VOTING ON REQUESTS FOR ADVISORY OPINIONS ADDRESSED TO THE PERMANENT COURT OF INTERNATIONAL JUSTICE

The Assembly,

Whereas, by its resolution of September 24th, 1928, it expressed the desire that the Council, when circumstances permitted, would have a study made of the question whether the Council or the Assembly may, by a simple majority, ask for an advisory opinion within the meaning of Article 14 of the Covenant of the League of Nations;

Observing that such a study has not yet been made and that uncertainty on the matter still persists and may have contributed to diminish the activity of the Permanent Court of International Justice;

Considering that it is desirable for the security of the legal rights of Members of the League of Nations that in cases where it appears indispensable for the accomplishment of the task of the Council or the Assembly that advice should be obtained on some point of law, such advice should, as a general rule, be requested from the Permanent Court of International Justice:

Expresses the desire that the Council will examine the question in what circumstances and subject to what conditions an advisory opinion may be requested under Article 14 of the Covenant.

#### 5. NATIONALITY OF WOMEN: CONVENTION ON THE NATIONALITY OF WOMEN CONCLUDED ON DECEMBER 26TH, 1933, AT THE CONFERENCE OF AMERICAN STATES AT MONTEVIDEO

The Assembly,

After study of the item of its agenda, "Nationality of Women: Convention on the Nationality of Women concluded on December 26th, 1933, at the Conference of American States at Montevideo";

Recalling its resolutions of October 12th, 1932, and October 11th, 1933, by which it requested the Governments to give information as to the effect which they have found it possible to give to Recommendation VI of the Hague Codification Conference of 1930;

Recalling its resolution of October 10th, 1932, regarding the collaboration of women with the League of Nations;

Considering that the collaboration of women is particularly desirable in the study of matters which specially concern them;

Conscious of the importance of the subject:

(1) Remarks with interest the achievement accomplished by the American States in drawing up a Convention in accordance with Recommendation VI of the Conference of The Hague of 1930;

(2) Draws the attention of the Members of the League of Nations to the fact that the Montevideo Convention is open to the accession of all States;

(3) Thanks the women's international organizations for the assistance which they have rendered and will render to the League of Nations in this field;

(4) Renews its recommendation that the States which have signed the Hague Convention of 1930 will deposit their ratifications at an early date;

(5) Requests the Council to continue to follow the development of this important problem, both in the national and in the international field, in order to determine when such development has reached a point at which further concerted international action would be justified.

## 6. STATUS OF WOMEN

The Assembly,

Noting that the question of the status of women was placed on the agenda of the present session for examination, at the instance of a number of delegations, with particular reference to the Equal Rights Treaty signed at Montevideo on December 26th, 1933, by representatives of the Governments of Cuba, Ecuador, Paraguay and Uruguay;

Considering that the terms of the Equal Rights Treaty should be examined in relation to the existing political, civil and economic status of women under the laws of the countries of the world;

Recognizing that the question of conditions of employment, whether of men or women, is a matter which properly falls within the sphere of the International Labour Organization:

(1) Decides that the question of the political and civil status of women shall be referred by the Secretary-General to the Governments for their observations, including observations as to the action which in their view the League might take in this matter, and that the Governments shall be requested to supply to the Secretary-General, together with their observations, information as to the existing political and civil status of women under their respective national laws;

(2) Recommends that the women's international organizations should continue their study of the whole question of the political and civil status of women;

(3) Requests that the observations and information communicated by the Governments and the statements of the said international organizations shall be sent to the Secretary-General for consideration by the Assembly of the League of Nations at a subsequent session;



(4) Expresses the hope that the International Labour Organization will, in accordance with its normal procedure, undertake an examination of those aspects of the problem within its competence—namely, the question of equality under labour legislation—and that it will, in the first place, examine the question of legislation which effects discriminations, some of which may be detrimental to women's right to work.

## 7. INTERNATIONAL INSTITUTE AT ROME FOR THE UNIFICATION OF PRIVATE LAW

The Assembly,

Having examined the part of the Secretary-General's report relating to the work of the International Institute at Rome for the Unification of Private Law (document A. 6 (a). 1935);

Taking into consideration the international draft law of sale and the draft uniform law on the responsibility of hotel-keepers, which have been presented by the Institute to the Council and which the Council, by a resolution of January 14th, 1935, has transmitted to the Governments for their observations:

Notes with satisfaction the work already accomplished and the method of work followed by the Institute, and congratulates it;

And, considering that the object of the above-mentioned draft laws is to facilitate international economic and commercial relations by providing them with a firmer legal basis:

Recognizes the interest which their adoption, with such modifications as it may eventually appear desirable to make in them as the result of the replies of the Governments, would present;

And draws the attention of the Governments to the desirability of giving early and favourable consideration to the two draft laws.

## 8. RELATIONS BETWEEN THE LEAGUE OF NATIONS AND THE PAN-AMERICAN UNION

The Assembly,

Honouring the high ideal of international co-operation which inspired the Colombian proposal as to relations between the League of Nations and the Pan-American Union:

Reserves the right to examine this proposal when it has learnt the outcome of the studies recommended by the seventh Pan-American Conference in a resolution concerning the relations of Pan-American bodies to other organizations;

And authorizes forthwith the Secretary-General to maintain such relations, for mutual information, with the Director-General of the Pan-American Union as may prove desirable.

## 9. WORK OF THE HEALTH ORGANIZATION

The Assembly,

Notes with satisfaction that the national administrations of countries in all continents are making ever-increasing use of the services of the Health Organization and are affording it a growing measure of support in discharge of its duties;

Approves the work of the Health Organization and the Rapporteur's conclusions, and refers to the Health Committee for study the offers of collaboration and the suggestions enunciated in his report (document A.48.1935.III).

## 10. WORK OF THE COMMUNICATIONS AND TRANSIT ORGANIZATION

The Assembly,

(1) Notes with satisfaction the work performed by the Communications and Transit Organization between the fifteenth and sixteenth ordinary sessions of the Assembly;

(2) Keenly appreciating the interest of the material collected on national public works, asks the Communications and Transit Organization to have a detailed and systematic examination of that material made by experts in order to enable more detailed enquiries to be pursued in this connection later;

(3) Noting the importance for a great number of countries of the problem of transport co-ordination, especially the co-ordination of railway and road transport, asks the Communications and Transit Organization to study the situation and the measures taken to co-ordinate transport in the principal countries concerned, on the understanding that the problem of transport co-ordination should be viewed in its widest aspect—technical, economic and financial;

(4) Taking note of the admirable work performed by the Communications and Transit Organization in investigating the problem of the pollution of the sea by oil, and of the replies received from Governments to the questionnaire addressed to them:

Considers that the subject of the pollution of the sea by oil is one suitable for solution by an international convention;

Requests the Council to instruct the Communications and Transit Organization, to take, as rapidly as possible, and with the assistance of expert advice, if required, the necessary steps to complete the preparation of a draft convention and to submit that draft to Governments for consideration;

Invites the Council, in the light of the observations received from Governments, to convene an international conference on oil pollution at an appropriate time.

## 11. ECONOMIC AND FINANCIAL QUESTIONS

1. The Assembly,

Convinced of the inimical effect on international trade of arbitrary restrictions imposed by Governments;

Noting that one of the ultimate objectives of Governments is a return to an international gold standard;

Considering that, even before the re-establishment of such an international monetary standard becomes possible, effective steps might be taken with a view to the removal of impediments to the exchange of goods, and that such a removal is indispensable if the economic recovery of which signs are now apparent is to be developed;

Considering that the recovery of international trade would be greatly assisted by the conclusion, by as many countries as possible, of bilateral agreements having for their object the application of a more liberal economic policy;

Recognizing, further, that the beneficial effects of such agreements would be more widespread when based upon the principle of the most-favoured-nation clause;

Realising that Governments hesitate to enter into agreements of substantial duration if the circumstances in which they were entered into may be subject to violent changes as the result of currency fluctuations:

Recommends that Governments should endeavour to encourage freer trade by the conclusion of bilateral agreements, subject, should they consider it necessary, to the provision that, in the event of a large variation in the rate of exchange between the currencies of the contracting parties, there should be power to take steps to revise the agreement at short notice.

## 2. The Assembly,

After considering the report of the Joint Committee on Clearing Agreements (document C.153.M.83.1935.II.B):

Takes note of the results arrived at by that Committee;

And suggests that the Council should consider the desirability of organizing in a suitable manner, in co-operation with the Bank for International Settlements, a consultation by competent persons with a view to:

(1) Devising means for promoting the application of the suggestions made by the Joint Committee;

(2) Studying any other projects or measures designed to extend international trade and give it greater freedom.

3. The Assembly invites the Council to arrange for the designation of committee of legal and financial experts to examine the means for improving contracts relating to international loans issued by Governments or other public authorities in the future, and in particular to prepare model provisions—if necessary, with a system of arbitration—which could, if the parties concerned so desired, be inserted in such contracts.

The committee should be authorized to obtain the co-operation of the International Institute at Rome for the Unification of Private Law as well as of representatives of bondholders' associations and to consult such experts as it may deem desirable.

4. The Assembly, considering the importance in all countries of the agricultural problem, and the unanimously recognized necessity of seeking the promptest possible solution for it, which solution would do much to relieve the general depression, recommends that the Economic Committee of the League of Nations should resume consultations of agricultural experts such as those which have given interesting results in 1930 and 1931.

## 12. NUTRITION

The Assembly,

Having considered the subject of nutrition in relation to public health and of the effects of improved nutrition on the consumption of agricultural products:

Urges Governments to examine the practical means of securing better nutrition and requests the Council:

(1) To invite the Health Organization of the League of Nations to continue and extend its work on nutrition in relation to public health;

(2) To instruct the technical organizations of the League of Nations, in consultation with the International Labour Office and the International Institute of Agriculture, to collect, summarize and publish information on the measures taken in all countries for securing improved nutrition and,

(3) To appoint a Committee, including agricultural, economic and health experts, instructed to submit a general report on the whole question, in its health and economic aspects, to the next Assembly, after taking into consideration, *inter alia*, the progress of the work carried out in accordance with paragraphs (1) and (2) above.

[Resolution adopted on September 27th, 1935 (Morning).]

## 13. COMMITTEES OF THE LEAGUE OF NATIONS

The Assembly adopts the report of the Second Committee (document A.70.1935).



## 14. FINANCIAL QUESTIONS

1. The Assembly, under Article 38 of the Regulations for the Financial Administration of the League of Nations, finally passes the audited accounts of the League of Nations for the sixteenth financial period, ended December 31st, 1934.

2. The Assembly,

Under Article 17 of the Regulations for the Financial Administration of the League of Nations:

Passes for the eighteenth financial period ending December 31st, 1936, the budget of the League of Nations, amounting to 28,279,901 francs;

And decides that the aforesaid budget shall be published in the *Official Journal*.

3. Except on the question of the recruitment and promotion in the scale of members of section, the Assembly adopts the conclusions of the various reports of the Supervisory Commission submitted for its consideration (documents A.5, A.5(a), A.5(b).1935.X).<sup>1</sup>

It decides therefore to amend Article 22 of the Regulations for the Financial Administration of the League of Nations to read as follows:

"1. States not Members of the League which have been admitted members of any organization of the League shall contribute towards the expenses of the organization concerned in the proportion in which they would contribute to such expenses if they were Members of the League.

"The contributions of States not Members of the League, which shall be calculated on the total outlay of the organizations to which they have been admitted members, shall be applied exclusively to the expenses of such organizations.

"2. The amounts receivable in accordance with paragraph 1 shall be shown separately in the budget; they shall be entered as revenue in the budget for the financial year for which they have been fixed, and shall be applied to reduce the sums to be contributed by the Members of the League. They shall be collected by the autonomous organizations themselves, which shall, in so doing, be guided by the rules laid down in Article 21; the competent officials shall supply the Secretary-General with the necessary information as to the results obtained.

"3. The provisions of the first clause of paragraph 1 shall not apply to the case of a State not a Member of the League which accepts an invitation to participate in the work of a League organization without any condition as to contributing to the expenses of the organization.

"4. The amounts receivable in accordance with paragraph 3 shall, when received, be applied to reduce the total sum chargeable for the following year to the Members of the League. "The Secretary-General shall secure that the amounts referred to in the previous clause are collected."

<sup>1</sup> These conclusions relate to the accounts for the financial year 1934; budget for 1936; disposal of 1934 surplus; form of the budget; transfer of officials from the Staff Provident Fund to the Pensions Fund; Articles 22 and 23 (1) a of the Financial Regulations; future disposal of the building now occupied by the Secretariat; increase in the League contribution to the Nansen International Office for 1936; supplementary credit for the construction of the new League building; reduction of contributions of States Members for 1936; supplementary credits; and the creation of a reserve fund.

And to complete Article 23 by the addition of the following paragraph (i) a:

"The same shall apply to the contribution payable to the expenses of the Permanent Court of International Justice, under Article 35, paragraph 3, of the Statute of the Court, by States which are parties to disputes before the Court and are not Members of the League of Nations."

4. The Assembly,

Takes note of the report of the Administrative Board of the Staff Pensions Fund for the year 1935 (document A.11.1935.X);

Takes note of the report of the Consulting Actuary on the second valuation of the Fund (document A.10.1935.X);

Decides that, for the time being, the Fund shall be valued annually by the Consulting Actuary;

Decides to amend as follows the last passage of Article 1, paragraph 1, of the Staff Pensions Regulations:

" . . . . and after a medical examination showing that the official is in good health at the time of his appointment, that he is free from any defect or disease likely to interfere with the proper discharge of his duties, and that there is no record of disease in his past medical history or clearly marked predisposition to any disease likely to cause premature invalidity or death";

Adopts the accounts of the Fund as submitted by the Auditor;

And decides, having regard to Article 7, paragraph (a), of the Staff Pensions Regulations, that the contribution of the League to the Pensions Fund for 1936 shall be 9 per cent of the pensionable emoluments of the members of the Fund.

5. The Assembly appoints to the Supervisory Commission, for the period ending December 31st, 1938:

As a regular member, M. C. Parra-Pérez;

As substitute members, M. Georges de Ottlik and M. Jan Modzelewski.

6. The Assembly appoints to the Administrative Board of the Staff Pensions Fund, for the period ending December 31st, 1936:

As a regular member, Mr. Francis T. Cremins;

As a substitute member, M. C. van Rappard.

7. The Assembly adopts the present report of the Fourth Committee. (document A. 75.1935.X).

# 15. CONTRIBUTIONS IN ARREARS

The Assembly,

Adopts the two reports of the Special Committee on Contributions in Arrears as approved by the Fourth Committee (documents A.15 and A.73. 1935.X);

Notes with satisfaction that, as a result of the work of the Special Committee, settlements have been reached with certain States for the payment of their arrears;

Invites the Special Committee as at present constituted<sup>1</sup> to continue its tasks and to present a report to the Assembly at its seventeenth session.

<sup>1</sup> M. C. J. Hambro (Norway), Count Carton de Wiart (Belgium), Sir Frederick Phillips (United Kingdom), M. Stefan Osusky (Czechoslovakia), M. César Zumeta (Venezuela).

## 16. ALLOCATION OF THE EXPENSES OF THE LEAGUE

The Assembly,

Adopts the report of the Fourth Committee on the allocation of expenses for 1936 (document A.74.1935.X);

Decides (a) on the allocation of one unit to Ecuador; (b) that the contribution of China should be reduced from 46 to 42 units; (c) that, subject to these decisions, States Members shall pay the same number of units for 1936 as they paid for 1935;

Appoints the following persons as members of the Committee on Allocation of Expenses for 1936: M. Kagan Avsey, M. Cavazzoni, M. Gomez, M. Hambro, M. Cemal Hüsnü, M. Pardo, Sir Frederick Phillips, M. Rajawangsan, M. Réveillaud.

## 17. TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS

The Assembly takes note of the report submitted by the Fifth Committee and adopts the conclusions of the report (document A.56.1935.XI).

## 18. CHILD WELFARE

## I

The Assembly,

Having found, on the basis of the information collected by the Child Welfare Committee, that most countries still allow children in certain cases to be sentenced to imprisonment or to be kept in prison pending trial;

That, according to an opinion already twice expressed by the Committee, confinement in prisons should be absolutely excluded in the case of children, and that, in cases of delinquency, the treatment applied to them should be prompted by a desire for their education and training and not for their punishment;

That even the best-organized prison is not, in view of its character, a suitable place for applying educative methods to children who are in process of mental and physical development:

Expresses the wish that all countries that have hitherto tolerated the imprisonment of children in any form whatsoever should aim at abolishing this system, replacing it in the case of delinquent minors by suitable measures of a purely educative character.

## II

The Assembly,

Having regard to the recommendation adopted by the nineteenth session of the International Labour Conference (1935) concerning unemployment among young persons:

Asks the Child Welfare Committee to keep itself informed, through the International Labour Office, of the measures taken by States Members to give effect to recommendation;

Considers it desirable that the Child Welfare Committee, at one of its future sessions, should give attention to the question of ill-treated children;

Finally, points out that the Committee's attention should be directed mainly towards normal children, but feels that, at the same time, before formulating a definite opinion regarding the entire question, a practical expedient would be to submit the Rapporteur's observations on this subject (document A.V/2.1935) for the study of the Child Welfare Committee, in order that the Fifth Committee should be able to discuss the matter at a later session on the basis of the Child Welfare Committee's report.



## 19. TRAFFIC IN WOMEN AND CHILDREN

## 1. The Assembly,

Having taken cognizance of the fact that the 1921 Convention for the Suppression of Traffic in Women and Children has been ratified or definitely acceded to by fifty States and the 1923 Convention for the Suppression of the Circulation of and Traffic in Obscene Publications by not less than fifty-four States;

Considering that both these Conventions have now reached almost universal application;

And considering that the ratification of or accession to these Conventions by the few remaining States would further the purpose aimed at by these two Conventions:

Instructs the Secretary-General of the League of Nations to make an appeal to the remaining States Members of the League which have not yet ratified or acceded to these Conventions to become parties to them as soon as possible.

## 2. The Assembly,

Having taken cognizance of the information with regard to the position of women of Russian origin in the Far East, submitted to the Fifth Committee by different Governments, together with that obtained by the Secretariat;

Considering the discussions which have taken place in the Traffic in Women and Children Committee at its session in May, 1935, and the resolution agreed to by that Committee and approved by the Council of the League of Nations in May, 1935;

Having regard to the fact that the majority of the replies to the enquiry carried out by the Secretariat of the League of Nations into the present position of women refugees of Russian origin in the Far East suggest that the League of Nations should appoint an agent to encourage and co-ordinate all efforts to improve the position of these women:

Invites the international societies which carry on work among women to strengthen and co-ordinate their activities in that part of the world;

Is of opinion that financial help will be needed to enable the necessary social measures to be taken in different centres;

Expresses the hope that the funds necessary for this purpose may be collected through the co-operation of the voluntary organizations and public authorities;

Authorizes the Secretary-General to endeavour to secure the services of a competent person (preferably a woman), resident in the Far East or in a position to proceed there, who could act as agent of the League of Nations;

And requests the Council to appoint the selected person as agent of the League of Nations for the purpose of encouraging and co-ordinating efforts to improve the position of women of Russian origin who are engaged or likely to become engaged in prostitution; this appointment should not, however, involve, in the present circumstances, any financial charge upon the League.

## 3. The Assembly,

Taking into consideration the opinion expressed by the Assembly at its fifteenth session that the report of the Commission of Enquiry on Traffic in Women and Children in the East (document C.849.M.393.1932.IV) should be considered at a conference of the authorities who are responsible in Eastern countries for the measures taken to prevent traffic in women, with a view to securing closer co-operation and greater exchange of information between them;

Considering the resolution of the Traffic in Women and Children Committee at its session in May, 1935, which suggests that the conference should take place in the autumn or winter of next year, after careful preparation in consultation with the Governments concerned:

Observes that, the chief purpose of this conference being the establishment of closer co-operation and greater exchange of information between the authorities in the East, it can only take place usefully in the East itself, and that its purpose cannot be fulfilled by a meeting held in Geneva;

Is of opinion that the beginning of the year 1937 is the most suitable date for the holding of the conference, as this allows of consultation with all the Governments and organizations interested, as well as for careful technical preparation for the conference;

And instruct the Secretary-General to avail himself of the authorization given by the Council of the League of Nations to make without delay all the necessary preparatory arrangements in consultation with the Governments concerned, especially with regard to the choice of a place of meeting, the manner in which the conference is to be constituted and the subjects to be discussed. The final decision as to the convocation of the conference would be taken by the Council at the end of the next ordinary session of the Assembly.

## 20. PENAL AND PENITENTIARY QUESTIONS

The Assembly,

Having taken note of the Secretary-General's annual report on penal and penitentiary questions (document A.21.1935.IV), together with the communications of the International Bureau for the Unification of Penal Law, the International Penal and Penitentiary Commission and the Howard League for Penal Reform (document A.V/7.1935);

Expressing its satisfaction with the development of co-operation between the League of Nations and the technical organizations dealing with penal and penitentiary problems on the international plane;

Considering that persons deprived of their liberty, and whatever the form of their detention, should not be subjected to treatment inconsistent with the Standard Minimum Rules for the Treatment of Prisoners drawn up by the International Penal and Penitentiary Commission and recommended to Governments by the 1934 Assembly (document A.45.1934.IV);

Considering that these Rules should be given the widest possible publicity in all States:

Instructs the Secretary-General:

(1) To request the Governments which accept the Standard Minimum Rules for the Treatment of Prisoners to give to those Rules all possible publicity by means of official publications and otherwise;

(2) To inform the Governments that the attention of the Assembly has been drawn to the alleged existence, in certain parts of the world, of various reprehensible practices which are not only inconsistent with the Standard Minimum Rules, but are also contrary to the principles of rational treatment of prisoners, such as:

- (a) The deprivation of the opportunity for prisoners to worship according to their religion and to converse in private with a priest or minister of their faith;
- (b) The use of violence and other forms of physical constraint, either in police cells or in prisons or other places of detention, with a view to extorting confession or evidence;
- (c) The employment of prisoners in gangs under conditions akin to slavery;

- (d) Protracted underfeeding to an extent likely to be injurious to the health and lives of prisoners;
- (e) The detention of women in prisons without the direct supervision of women officers;

(3) To convey to Governments an expression of its hope that such practices, where they exist, will be abandoned.

The Secretary-General is asked to communicate this resolution to all States Members and non-members of the League, together with the report on penal and penitentiary questions of the Fifth Committee to the Assembly (document A.63.1935.IV).

#### 21. ASSISTANCE TO INDIGENT FOREIGNERS

The Assembly takes note of the documentary material submitted with regard to the proposals of the Committee of Experts on Assistance to Indigent Foreigners and the Execution of Maintenance Orders abroad, and recommends that this Committee should meet shortly so as to continue its efforts to improve the lot of indigent foreigners.

#### 22. INTERNATIONAL RELIEF UNION

The Assembly,

Having taken cognizance of the report on the activity of the Executive Committee of the International Relief Union for the period from July 12th, 1933, to December 31st, 1934 (document C.346.M.175.1935.XII):

Is gratified to know that thirty States have acceded to the Union, and expresses the hope that further accessions will come to reinforce the authority and means of action of that Union;

Expresses its satisfaction at the first steps taken by the Union in the presence of certain calamities and at the encouraging reception given by several Governments to one of its appeals;

Furthermore, lays stress on the importance of the measures taken, with a view to ensuring the co-ordination of the efforts of other relief organizations and encouraging, especially by the appointment of experts, preparatory studies for the purpose of facilitating future action;

Pays tribute to the purposes of the Union and the steps taken to ensure its development.

#### 23. DISPUTE BETWEEN BOLIVIA AND PARAGUAY

The Assembly,

Noting the statement made at the third meeting of the Sixth Committee by the Chairman of the Advisory Committee and relying on this Committee to continue to follow the situation:

I. Expresses its great satisfaction at the signature of the Protocols of June 12th, 1935, which put an end to hostilities between Bolivia and Paraguay and made possible the opening of the Peace Conference at Buenos Aires;

II. Congratulates the Governments represented at the Conference on the efforts they have made in the interests of peace, and expresses its earnest hope that the prosecution of these efforts will result in the complete re-establishment of peace and good understanding between Bolivia and Paraguay.

#### 24. MANDATES

The Assembly,

Having noted the activity of the mandatory Powers, the Permanent Mandates Commission, and the Council in regard to the execution of the provisions of Article 22 of the Covenant:



Expresses its appreciation of the work accomplished by the mandatory Powers and the organs of the League responsible for the supervision of the mandates, and renews the expression of confidence in them voted by previous sessions of the Assembly.

It trusts that their efforts, pursued in a broad co-operative spirit, will bring about that progress which is the essential object of the institution of the mandate.

## 25. SLAVERY

The Assembly,

Having noted the activities of the Council and of the Advisory Committee of Experts on Slavery:

Expresses the hope that the Governments concerned will act on the suggestions and recommendations sent to them by the Council and will communicate the necessary information in order to enable the Committee to perform its task, and

Approves the programme of work for the year 1935-36 embodied in the States not members of the League which are parties to the 1926 Slavery Convention.

## 26. WORK OF THE INTERNATIONAL INTELLECTUAL CO-OPERATION ORGANIZATION

### 1. *General Resolution.*

The Assembly,

Having taken cognizance of the various documents submitted to it concerning the activities of the International Intellectual Co-operation Organization—viz.:

(1) The Committee's report on the work of its seventeenth plenary session, and the various documents annexed thereto (document C.290.M.154.1935.XII);

(2) The report of the Governing Body of the International Institute of Intellectual Co-operation (document C.278.M.145.1935.XII):

Notes with satisfaction the continued development of the work of this Organization described by the Council;

Associates itself with the congratulations offered by the Governing Body to the International Institute of Intellectual Co-operation on its excellent administrative and financial management;

Approves the programme of work for the year 1935-36 embodied in the reports and resolutions of the International Committee on Intellectual Co-operation and the Governing Body of the Institute.

### 2. *Tours of Educationists.*

The Assembly stresses the great importance, both from an educational standpoint in the proper sense of the term and from an international standpoint, of the organization of tours of educationists, who would be invited to visit one or more countries for the purpose of studying all matters relating to teaching on the League of Nations and international questions.

### 3. *Proposal by the Roumanian Delegation.*

The Assembly,

Approves the proposal of M. I. Pillat, Roumanian delegate, that the Institute of Intellectual Co-operation should publish through an international committee, assisted by national advisory committees, a selection of translations, into one or more of the worldwide languages, of representative classical works from the literatures of the various European regional languages;

Refers the proposal to the Committee on Intellectual Co-operation for investigation by the Institute of Intellectual Co-operation, so that reasoned suggestions may be put forward by the Committee at the next session of the Assembly.

#### 4. *Collection of Ethnographical and Historical Works on the Origins of American Civilization.*

The Assembly,

Having studied the scientific and financial plan which the Institute of Intellectual Co-operation was asked to put forward by the fifteenth Assembly of the League of Nations with regard to a collection of ethnographical and historical works on the origins of American civilization:

Emphasizes, like the Committee on Intellectual Co-operation itself, the great value of this scheme and its importance to a better mutual comprehension between America and the other continents;

Observes that it is chiefly for the Governments themselves, and the learned institutions concerned, to provide for the scientific realization of the project by means of special contributions;

Shares the opinion of the International Committee on Intellectual Co-operation that the proposed publication should be further examined by competent persons appointed to draw up the final plans for the collection in such a way that it may provide a wide survey of the period envisaged in a comparatively small number of volumes, and to direct the undertaking. The latter, which will be carried out under the auspices of the Intellectual Co-operation Committee will be under the scientific management of the persons thus appointed.

The Assembly will be glad to hear next year of the stage the project has reached.

#### 5. *Broadcasting and Peace.*

The Assembly,

Having examined the draft International Convention for the use of broadcasting in the cause of peace which has been drawn up by the Intellectual Co-operation Committee at the request of the Assembly itself, and which has twice been studied by the States Members and non-members of the League of Nations:

Requests the Council to place the conclusion of this agreement on the agenda of the next Assembly. The problem can be examined in 1936 by an *ad hoc* Conference constituted during the Assembly by delegates provided with the necessary powers.

#### 6. *Declaration concerning the Revision of History Text-books.*

The Assembly,

Noting the persevering efforts carried on for many years by the Intellectual Co-operation Committee for the purpose of ensuring the impartiality of school textbooks, and especially of history books:

Recognizes that Government action would give the most effective support to these efforts;

Accordingly requests the Council to communicate to the States Members of the League of Nations and to the non-member States the declaration prepared by the Committee concerning the revision of history text-books and to ask them to sign it.

7. *Relations of the Intellectual Co-operation Organization with the International Council of Scientific Unions.*

The Assembly,

Convinced that the establishment of closer relations between the Intellectual Co-operation Organization and the International Council of Scientific Unions is in the best interests of both institutions:

Takes note of the basis of collaboration suggested by the Intellectual Co-operation Committee at its seventeenth session;

And decides, in order to facilitate the carrying-out of the proposed programme by the convocation of a committee of scientific experts, to insert an appropriation of 6,000 francs in the League's budget for the financial year 1936.

8. *National Committees on Intellectual Co-operation.*

The Assembly,

Draws the attention of Governments to the General Conference of National Committees on Intellectual Co-operation, which is to be held at Paris in 1937, in connection with the Universal Exhibition of Civilization;

Expresses the hope that the Governments will facilitate the realization of this project by affording substantial aid to their National Committees.

9. *International Agreement on Art Exhibitions.*

The Assembly, endorsing the resolution of the Intellectual Co-operation Committee, approves the proposal that the International Museums Office should study an international agreement for the regulation of art exhibitions.

10. *Intellectual Rights.*

The Assembly,

Requests the Governments signatories of the Paris Convention on Industrial Property, as revised in London, to expedite their ratification of this Convention as far as possible;

And to introduce, if necessary, into their municipal law provisions for maintaining, for at least a certain period, the patent rights in respect of discoveries divulged by their own authors in the form of scientific communications;

Asks the Institute of Intellectual Co-operation and the Institute for the Unification of Private Law, acting in concert, to pursue their studies and efforts to promote, by bringing into harmony the Berne and Havana Conventions, the conclusion of a general agreement affording effective protection to intellectual works in the countries of both continents.

11. *International Radiobiological Centre.*

The Assembly draws the favourable attention of the States Members of the League of Nations to the creation of an international radiobiological centre at Venice.

12. *International Education Cinematographic Institute.*

The Assembly fully endorses the terms of the various resolutions adopted by the International Committee on Intellectual Co-operation regarding the problem of educational cinematography. In particular, it congratulates the Rome Institute on the publication of the review *Interciné*, on the completion of its "Cinematographic Encyclopædia", and on the recent creation of a centre for the study of television.



## 27 ESTABLISHMENT OF THE ASSYRIANS OF IRAQ

The Sixth Committee,

Recognizing the efforts made by the Committee of the Council for the Settlement of the Assyrians of Iraq to find a destination for those Assyrians who may wish to leave that country;

Considering that the projected scheme of settlement in the Ghab area of the French mandated territories of the Levant offers the prospect of a satisfactory and permanent solution of the Assyrian problem;

Taking note of the extent to which the Iraqi Government, the Government of the United Kingdom and the authorities of the French mandated territories of the Levant are prepared to contribute to the realization of this scheme, and in the firm hope of contributions from private charitable organizations;

Recognizing that a considerable balance is nevertheless inevitable when all these contributions have been taken into account;

Having regard to the special features of the problem and more particularly its humanitarian aspect, the deep interest which the Council has always taken in its solution and, finally, the dangers to the tranquillity of the Near East which a postponement of a decision would involve:

Considers that the proposal of the United Kingdom concerning the financial participation of the League is worthy of the most sympathetic consideration of the Assembly and consequently refers to the Fourth Committee the question of the provision of the necessary funds.

## 28. INTERNATIONAL ASSISTANCE TO REFUGEES

The Assembly adopts the report of the Sixth Committee (document A.64.1935.XII).

## 29. RUSSIAN, ARMENIAN, ASSYRIAN, ASSYRO-CHALDEAN, SAAR AND TURKISH REFUGEES

The Assembly,

(1) Having noted the report of the Governing Body of the Nansen International Office for the year ending June 30th, 1935, on the work done for Russian, Armenian, Assyrian, Assyro-Chaldean, Saar and Turkish refugees (document A.22.1935.XII):

(2) Expresses its gratitude to the Office and to the Inter-Governmental Advisory Commission for the valuable services rendered to the Governments and to the refugees by improving the position of a very considerable number of refugees in spite of great economic and other difficulties;

(3) Thanks the Governments which have given effect to the recommendations made at its last session concerning the communication to the Office of refugee settlement possibilities; the placing of credits at the disposal of the Office for a definite solution of the refugee problem in their territories; the general application of the Nansen stamp system, and the adoption of proposals for the issue of surcharged postage stamps for the benefit of the funds of the Office;

(4) Recommends the Governments to ratify the 1933 Convention;

(5) Again urges Governments not to expel refugees unless they have obtained entrance visas for another country;

(6) Requests the Governments of the immigration countries to continue to co-operate with the Office by informing it of the possibilities of settlement in their territories;

(7) Recommends the Governments to consider the advantage of capitalizing their expenditure on refugees and of placing such funds at the disposal of the Office for the settlement of refugees;

(8) Requests the Governments which have not already done so to adopt the Nansen stamp system;

(9) Recommends Governments to consider the plan of issuing surcharged postage stamps in accordance with suggestions made by the Inter-Governmental Advisory Commission for Refugees at its session of March 15th, 1935.

### 30. COMMISSION OF ENQUIRY FOR EUROPEAN UNION

The Assembly,

Having consulted its General Committee on the procedure to be followed with regard to the question appearing on the agenda for the session as Item 6 (a): Commission of Enquiry for European Union:

Notes that circumstances have been such that the Commission has been unable to meet since the last session;

And decides, such being the case, to renew the mandate of the Commission of Enquiry for European Union for the coming year and to place the question on the agenda for the next session of the Assembly.

(Text of Resolution respecting Co-ordination of Measures under Article 16 of the Covenant quoted on page 21.)













EA  
R21

# REPORT

OF THE

CANADIAN DELEGATES

TO THE

## SEVENTEENTH ASSEMBLY OF THE LEAGUE OF NATIONS

---

GENEVA

21st September - 10th October, 1936

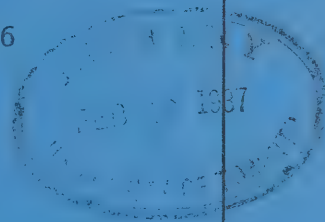


OTTAWA

J. O. PATENAUDE, I.S.O.

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1937



Price, 10 cents



281 E.H.  
R21

REPORT  
OF THE  
CANADIAN DELEGATES  
TO THE  
SEVENTEENTH ASSEMBLY OF  
THE LEAGUE OF NATIONS

---

GENEVA

21st September - 10th October, 1936



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1937



## TABLE OF CONTENTS

---

	PAGE
Organization of the Assembly.....	3
Credentials Committee—	
Status of Ethiopian Delegation.....	3
Election of Officers and Formation of Committees.....	5
(General Discussion on the Work of the League.....	6
First Committee—	
Composition of the Council.....	9
International Repression of Terrorism.....	9
Election of the Members of the Permanent Court of International Justice.....	10
Rules of Procedure of the Assembly.....	10
Second Committee—	
Economic and Financial Questions.....	11
Nutrition.....	12
Communications and Transit Organization.....	12
Public Works.....	13
Maritime Buoyage.....	13
Air Navigation.....	14
Radio-Nations.....	14
Pollution of the Sea by Oil.....	14
Work of the Health Organization.....	14
Physical Education.....	15
Third Committee—	
Reduction and Limitation of Armaments.....	16
Fourth Committee—	
Budget of the League.....	17
Administrative Questions.....	18
Settlement of Contributions in Arrears.....	18
Reallocation of Contributions.....	19
Devaluation and Reduction of Contributions.....	20
Fifth Committee—	
Child Welfare.....	21
Assistance to Indigent Foreigners.....	22
International Relief Union.....	23
Penal and Penitentiary Questions.....	23
Advisory Committee on Social Questions.....	24
Traffic in Women and Children.....	24
The Far East.....	25
Traffic in Opium and Other Dangerous Drugs.....	25
Sixth Committee—	
Intellectual Co-operation.....	26
Mandates.....	27
General Commission on the Application of the Principles of the Covenant.....	28
Appendices—	
I. Agenda of the Seventeenth Session of the Assembly.....	31
II. Texts of the Resolutions adopted by the Assembly.....	32

## Report of the Canadian Delegates to the Seventeenth Assembly of the League of Nations.

OTTAWA, January 13, 1937.

TO HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL:

### ORGANIZATION OF THE ASSEMBLY

The Seventeenth Ordinary Session of the Assembly of the League of Nations was held in Geneva from 21st September to 10th October, 1936.

Fifty-two of the fifty-seven States Members of the League were represented at the opening Session, those absent being Guatemala, Honduras, Italy, Paraguay and Salvador.

The Canadian Delegation was headed by the Prime Minister and Secretary of State for External Affairs, the Right Honourable W. L. Mackenzie King. The other Canadian delegates were the Honourable Raoul Dandurand, K.C., Senator; the Honourable Norman McL. Rogers, Minister of Labour, with the following as substitute delegates: Mr. O. D. Skelton, Under-Secretary of State for External Affairs, and Mr. W. A. Riddell, Dominion of Canada Advisory Officer accredited to the League of Nations; and Lieutenant-Colonel G. P. Vanier, as Technical Adviser.

The proceedings of the Assembly were, in accordance with precedent, opened by the President of the Council, M. Rivas Vicuna, delegate of Chile. In his opening speech M. Vicuna said that in the opinion of the Chilean Government the present was a critical moment in history. His Government believed it of supreme importance that the League should be universal, and he urged that all appropriate means should be taken to secure the co-operation of all States in the ideal of peace; the study of the Covenant, its application and possible reform, should be undertaken without delay.

He further hoped that at this present Assembly the Members of the League would consider what economic action might be taken to bring about better economic and trade conditions, action which in turn would assist to ameliorate the political situation. He referred also to the technical and humanitarian work of the League, in particular to the results obtained in the campaign against narcotic drugs, and concluded with a renewed plea for united action in the cause of peace.

### *Credentials Committee*

At the conclusion of his speech the Chairman proceeded to the first item on the agenda, the election of the Committee to report on credentials. The voting was held by secret ballot. The following were elected:—

Mr. Eden (United Kingdom)  
Mr. Litvinoff (U.S.S.R.)  
M. Delbès (France)  
M. Osusky (Czechoslovakia)  
M. Politis (Greece)  
M. Rüstü Aras (Turkey)  
M. Tudela (Peru)  
Mr. Jordan (New Zealand)  
M. Limburg (Netherlands).

The work of the Credentials Committee, which is usually of quite a formal nature, became of exceptional importance at the Seventeenth Assembly because of the question of the status of the Ethiopian delegation. Nominations to the Credentials Committee were therefore of considerable importance and an effort was made to secure representation of the major European Powers. The Committee brought in two reports; part of the second dealt with the position of the Ethiopian delegation, as follows:—

Much more lengthy consideration had to be given to the case of the Ethiopian delegation. Its credentials are derived from the same authority as had more than once in the past issued the full powers of the Ethiopian delegation to previous sessions of the Assembly. On the dates on which they were issued (September 14th and 19th), however, the situation in Ethiopia had greatly changed in various respects. The head of the State is in a foreign country; the Government is no longer in the capital; according to some of the documents submitted, a governmental authority is stated to be established in another part of the country. It seems exceptionally difficult to judge of the nature and extent of the power of that authority, and of the strength of the connections still existing between it and the Head of the State. The question that accordingly presented itself to the Committee was whether the Head of the State from whom the credentials under examination emanate was exercising his legal title effectively enough to make those credentials perfectly in order.

The question seemed to the Committee an extremely delicate one. No Member suggested that it should be settled in the negative, and that the credentials in question should accordingly be declared to be manifestly not in order. None the less, all the members of the Committee felt some doubt whether they really were in order. In those circumstances, the Committee at one time thought of proposing that the Assembly should ask the Permanent Court of International Justice for an advisory opinion as to whether, in view of the present position of His Majesty Haile Selassie I, the credentials in question meet the requirements of Rule 5, paragraph 2, of the Rules of Procedure of the Assembly, so as to enable the holders of those credentials to be regarded as the representatives of a Member of the League within the meaning of Article 3, paragraph 1, of the Covenant.

But an additional question immediately arose. If the Court were to be consulted on the above-mentioned point, it could not be expected to be able to give its opinion for several weeks, by which time the present session of the Assembly would probably have come to an end. What would the Ethiopian delegation's position be meanwhile? According to Rule 5, paragraph 4, of the Rules of Procedure of the Assembly, "any representative to whose admission objection has been made shall sit provisionally with the same rights as other representatives, unless the Assembly decides otherwise."

In view of this provision, it became clear that the question whether the Ethiopian delegation could or could not sit during the present session of the Assembly would, in practice, be settled before the Hague Court could give its opinion.

Accordingly, the view finally prevailed that reference to the Hague would have no practical value, and that therefore the best solution would be to propose that the Assembly should consider the credentials submitted by the Ethiopian delegation, despite the doubt as to their regularity, as sufficient to permit that delegation to sit at the present session.

This opinion met with the unanimous approval of the Committee, which, in adopting it, took into account the consideration that, in such a case, the delegation in question should have the benefit of the doubt, and also that, in view of the present situation in Ethiopia, by the adoption of



the solution indicated, which holds good only for the present session, nothing is done to prejudice the future.

In view of the foregoing, and with the fullest realization of its responsibilities, your Committee has the honour to propose that you should admit the Ethiopian delegation to take part in the proceedings of the present session of the Assembly.

The delegates of Hungary, Austria and Albania asked for a vote by roll-call. The vote was taken and the report was adopted by a large majority, the States voting against being Albania, Austria, Ecuador, and Hungary, while the States abstaining were Bulgaria, Panama, Portugal, Siam, Switzerland and Venezuela.

In a letter addressed to the Secretary-General, the First Delegate of Panama, M. Galileo Solis, explained his Government's abstention from the voting on the ground that it was considered that participation would have involved acceptance of the Credential Committee's competence to consider whether a State Member had or had not lost his rights as such in the League. He held that the Italo-Ethiopian dispute in so far as it concerned the League "still subsists and will continue to do so until the Assembly decides to solve it one way or the other."

#### *Election of Officers and Formation of Committees*

The officers of the Assembly were elected as follows:—

*President:* M. Carlos Saavedra Lamas (Argentine)

*Vice-Presidents*

The first delegates of the following six countries:—

France (M. Yvon Delbos).  
United Kingdom (Mr. Anthony Eden).  
Yugoslavia (Dr. Milan Stoyadinovitch).  
Canada (Mr. W. L. Mackenzie King).  
U.S.S.R. (M. Maxime Litvinoff).  
Italy ( ).

The following Committees were convened under the Chairmen named:—

First Committee (Constitutional and Legal Questions):

M. Limburg (Netherlands).

Second Committee (Work of Technical Organizations):

M. F. van Langenhove (Belgium).

\* Third Committee:

M. Lange (Norway).

Fourth Committee (Administrative and Budgetary Questions):

M. Guani (Uruguay).

Fifth Committee (Social and Humanitarian Questions):

M. Schmidt (Estonia).

Sixth Committee (Political Questions):

M. Motta (Switzerland).

Agenda Committee:

M. Beck (Poland).

Credentials Committee:

M. Tudela (Peru).

\*General Commission:

Mr. Bruce (Australia).

---

\*The Third Committee and the General Commission were not set up with the others at the beginning of the Assembly, but were constituted later. For the circumstance which occasioned their being set up see the section on each below.

The President and the Vice-Presidents of the Assembly, together with the Chairmen of the above Committees, formed the General Committee or Bureau charged with the general direction of the work of the Assembly.

The Canadian Delegation was represented on the Committees as follows:—

*First Committee*

Rt. Hon. W. L. Mackenzie King  
Mr. O. D. Skelton

*Second Committee*

Mr. W. A. Riddell  
Lt.-Colonel G. P. Vanier

*Third Committee*

Rt. Hon. W. L. Mackenzie King  
Senator R. Dandurand

*Fourth Committee*

Mr. O. D. Skelton  
Lt.-Colonel G. P. Vanier

*Fifth Committee*

Hon. N. Rogers  
Mr. W. A. Riddell

*Sixth Committee*

Senator R. Dandurand  
Hon. N. Rogers

## GENERAL DISCUSSION ON THE WORK OF THE LEAGUE

The Annual Report of the Secretary-General on the work of the League for the year was, as usual, the basis of the general discussion in the Assembly. As was to be expected, the shadow of the Italo-Ethiopian dispute was cast over the debate and the greater part of the discussion was devoted to the question of the Application of the Principles of the Covenant in the light of the failure of the League's effort to maintain Ethiopian independence against Italian aggression.

The debate was opened by the first delegate of the United Kingdom, Mr Anthony Eden, who prefaced his remarks with the statement that the underlying motive for examining the Covenant was the recent failure of collective action. The cause of this failure was to be attributed in the main to the non-universality of the League. In the subsequent debate the problem of applying the Covenant fully in a non-universal League was frequently discussed.

The view was widely taken that the founders of the League in drafting the Covenant had assumed that practically all nations would be parties to it, and had framed the Articles, particularly such Articles as 10 and 16, on this foundation. A number of delegates accordingly urged that the application of the Covenant must be modified to adapt it to a non-universal League.

The method of this adaptation was discussed and most speakers concurred in the opinion that it was impracticable to secure this modification by amendment of the Covenant itself, for two reasons: first, the difficulty of the process of amendment and, secondly, a feeling that the Covenant should be adaptable to changing conditions. Modification by a resolution of the Assembly, and the growth of a conventional interpretation based upon actual usage with the development of experience, were put forward as alternative procedures. Some speakers expressed the hope that the time might come when the Covenant in its original form might be wholly applied.

As to the methods of application of the Covenant under existing conditions, a number of European speakers advocated a system of regional agreements whereby nations would be committed to action under Article 16 only in so far as a dispute might come within the sphere of their interests, either geographically or politically. The delegates of several South American countries supported the idea of regional agreements, although rather from the point of view of the avoidance of commitments and responsibilities in the settlement of disputes foreign to South America. Some delegates expressed the fear that regional pacts, unless carefully safeguarded, might lead back to the old system of military alliances.

In general, emphasis was laid on the necessity of making more effective the League's function of prevention when the possibility of a dispute was evident, and of conciliation and mediation at the early stages of a dispute.

Frequent reference was made to Article 11 and to the desirability of modifying the unanimity rule which operates at present so that any party to a dispute may prevent its consideration by the League under this Article. It was also suggested that the machinery of securing advisory opinions from the Permanent Court of International Justice should be modified to facilitate the work of conciliation.

A number of speakers also pointed out that Article 19, which recognizes the impracticability of maintaining rigidly the *status quo*, has hitherto been dormant but might be utilized to ameliorate situations which might lead to disputes, and that in any case a discussion of grievances under this Article might assist in preventing trouble. Others considered that recourse to this Article would magnify and perpetuate differences and threaten peace.

A number of delegates expressed the view that the time had come to divorce the Covenant from the Peace Treaties. The combination of these two objectives in the same document, it was felt, tended to perpetuate war-time differences.

The first delegate of France raised the question of armaments and war industries and said that although his Government were determined to make every effort required by security they were ready to follow any initiative which would guarantee the security of all and lead to any reciprocal and equitable international regulation of armaments. France, he said, has already taken action towards the supervision or nationalization of her own war industries and would press for a policy of supervision, limitation and reduction of armaments. In this he was supported by the delegates of various countries, including the Scandinavian delegations; the first delegate of the U.S.S.R. argued that abolition of armaments should be sought and would prove, in fact, easier of attainment than limitation.

As a result of the initiative of the French and Scandinavian delegations it was decided to constitute the Third Committee for the first time since the Assembly of 1931. The question of the composition of the Council was also discussed in connection with the reform of the Covenant and it was suggested that the composition of the Council might be considered with a view to making that body more representative.

The delegate of China, Dr. Wellington Koo, in speaking to the question of League reform, surveyed the political and military situation in the Orient and asked that there should be an accepted formula as to what constituted aggression in order that aggression might be dealt with promptly when it occurred and that a plan should be developed for an immediate, automatic and all-inclusive application of the measures provided for in Article 16 of the Covenant. In his opinion promptness of action was the essential factor in securing effectiveness and advance preparations for joint action were an essential condition of promptness.

Other speakers touched upon the position of refugees. The delegate of Hungary devoted the larger part of his speech to this topic. The first delegate of Spain spoke at some length on the situation in his country in relation to the policy of non-intervention adopted by certain European powers. He said that the Spanish experience raised the question whether future wars, although they may assume the appearance of a conflict between two States, may not in fact be a conflict of ideologies, of different conceptions of life, a conflict between democracy and oppression. He urged that the Spanish situation be very carefully studied by the League. The struggle in Spain had become an international issue. The organization of collective security must provide for such situations, must protect states against aid being given to rebels by foreign



governments whose political ideologies coincided with their own. The policy of non-intervention, he contended, was contrary to the established principles of international law and in practice worked to the disadvantage of the lawful government. M. Delbos denied that the policy of non-intervention had been devised in a spirit of indifference, but rather out of realization of the dangers of rival interventions. He emphasized the danger inherent in "the conflict of doctrines which threatens to divide Europe into two enemy camps, whose rival proselytising may revive the sombre furies of the wars of religions." He refused to accept "this diplomatic manichacism, this ideological mobilization of Europe." The League was an example to the contrary; each member nation had its own heritage, its own mission; each must respect the liberty of others and consent to surrender a little of its own in the common interest; the League's experience showed that "there is no need for peoples to annihilate one another in order to co-operate, nor to convert in order to understand one another."

In addressing the Assembly on September 29th, the Prime Minister of Canada referred to the contrast between the violence of political controversy and the tension and uncertainty which prevailed in Europe, and the friendly relations existing in North America; Canadians recognized that these differences in policy were due to differences in the circumstances each Continent had to face, and that they could not reasonably expect that their neighbourhood relations should be wholly duplicated elsewhere, nor, on the other hand, that it was any more reasonable to expect a North American State to have the same international outlook or conception of interest or duty as a European State facing widely different conditions. The Canadian attitude to League problems was influenced by experience as a member of the British Commonwealth of Nations, which had convinced them of the possibility of preserving close and friendly co-operation without the existence of a central authority or military commitments.

Canada was strongly convinced of the value and necessity of the League, with emphasis upon its task of interpretation, conciliation and adjustment rather than upon coercion. Successive Canadian Governments had been opposed to the view that the League's central purpose should be utilization of force for the maintenance of peace or the *status quo*. Objection to automatic intervention in distant conflicts increased when such conflicts were tending to become struggles between classes, economic systems, social philosophies, as well as between States. This did not mean that in no circumstances would the Canadian people be prepared to share in action against an aggressor. There had been no absolute commitments either for or against participation in war or other forms of force. It did mean that any decision on the part of Canada to participate in war would have to be taken by the Parliament or people of Canada in the light of all the existing circumstances, in Canada as well as in the areas involved.

The conception of enforcing peace by collective coercion was based on the assumption that all countries of importance would be included in the League's membership. Policy must be adjusted to facts. The Canadian Government did not believe that formal amendment of the Covenant was either possible or necessary; the powers and duties of the League developed by usage and experience as well as by explicit amendment. From the experience of the past sixteen years, it was evident that many provisions of the Covenant had not been observed, or had been applied unequally or ineffectively—the provisions for the reduction of armaments, the provision for the revision of treaties, the sanctions provisions of Article 16 when the conflict took place in Asia or America.

The proposals advanced for regional military agreements were applicable only to parts of Europe. The Canadian Government was in sympathy with the proposal to modify Article 11 to facilitate conciliation efforts by the Council or Assembly by removing the requirement of unanimity. Full enquiry should be made into definite complaints of political or economic grievances, and action taken to combat economic nationalism and the endless embargoes, exchange and

quota controls, which were strangling international trade and making political co-operation and confidence difficult to establish. At the moment the essential policy was to endeavour that nothing would be permitted to stand in the way of European nations in their efforts to construct the foundations of good-will and mutual confidence in their affairs. The League of Nations was not a League against any country or group of countries, or for or against any particular theory or social philosophy or economic organization. It was a League to further ideals of peace and good-will among all nations and all classes.

Subsequently to the debate, the Assembly appointed a new general Committee on the application of the Principles of the Covenant. The report of that Committee and the action taken by the Assembly are noted later in this Report.

## PROCEEDINGS OF COMMITTEES

### FIRST COMMITTEE

#### (Constitutional and Legal Questions)

##### *Composition of the Council*

By a resolution of 26th September, 1935, the Council had set up a Committee to report on the question of the number of members of the Council, having regard to the position of States which do not belong to any of the informal groups which had come to be recognized—the Latin American States, the Little Entente, the Members of the British Commonwealth aside from the United Kingdom, the Scandinavian States, and so on, and of the desirability of representation of the Far East. This Committee favoured the maintenance of the seat provisionally created in 1933 to afford representation to States not belonging to any group and was also in favour of the creation of an additional seat to ensure representation of the Far East. The First Committee accepted this Committee's proposal as a temporary solution and the claim of China was generally approved.

It was felt, however, that the increase in the number of elected members made difficult the working of the Council and reduced the influence which the elected members could exercise upon the Council's deliberations. It was therefore suggested that the desire of States to participate in the discussion of questions of interest to them, should be satisfied by a wider application of Article 4, paragraph 5, of the Covenant which provides for the admission to any discussion of *ad hoc* representatives of States whose interests are affected and which would not otherwise be represented.

In supporting the proposals of the Special Committee the First Committee expressed the desire that the Council should appoint a Committee of Experts to put forward a final solution.

A difference of opinion arose as to whether the two new seats should have the normal duration of three years or be limited to one year. The Committee ultimately decided by a majority that these seats should be on an equality with the other seats of the Council and have the same duration, trusting that this would not in any way retard the work of the Committee of Experts.

##### *International Repression of Terrorism*

The First Committee was entrusted by the Assembly with the study of the second report adopted in January, 1936, by the Committee for the International Repression of Terrorism which was appointed as a result of the assassination of the King of Jugo-Slavia and M. Barthou in 1934. All members were in agreement as to the necessity of preventing the use of one country's territory as a basis of terrorist operations against another country, but a good deal of opposition developed against recommendations which were held to involve abandonment

of the practice of a number of countries in regarding political offences as non-extraditable. This difference of opinion was reflected in the discussion as to the procedure which should be followed; whether a decision should be taken at the present Assembly as to the advisability of holding a diplomatic Conference to conclude an agreement, or whether the draft should be referred to the Committee of Jurists to be co-ordinated with due regard to the observations submitted by Governments and the views expressed in the First Committee.

In order to avoid misunderstanding regarding the acceptance by a certain number of States of the second proposed Convention for the creation of an international Criminal Court, the First Committee was unanimously of the opinion that such acceptance must not and could not in any way affect the legal position of other States which are unable to accept this second Convention.

The Assembly recommended that the Committee revise its two drafts in the light of the discussion, with the holding of a diplomatic Conference in 1937 as the objective.

#### *Election of the Members of the Permanent Court of International Justice*

The First Committee also discussed the method of election to be adopted to fill the two seats vacated through the death of Mr. Schucking and the resignation of Mr. Kellogg, and the seat vacated by Mr. Wang Chung-Hui. The question was raised whether the system proposed by the Council, two separate elections of the candidates, one to fill the first two vacancies and the other to fill the third, or the alternative proposal for a single election should be adopted. On a vote being taken in the Committee it was decided to proceed by two elections as proposed by the Council.

The Committee then considered the question of participation in the election of members of the Court of States, namely Brazil, Germany and Japan, which are not Members of the League, but are parties to the Statute of the Court. The proposal of the Council that these States should be permitted to vote in the Council and Assembly was adopted by the Committee.

#### *Rules of Procedure of the Assembly*

*The creation of a Nominations Committee.*—The proposal for the creation of a Nominations Committee was strongly supported by the delegate of Norway who argued that the existence of such a Committee would make unnecessary all negotiations behind the scenes before and at the opening of the Assembly for the purpose of making arrangements for nominations. In his opinion such preparation should be conducted openly. The Secretary-General gave the Committee a survey of the present situation, saying that since the creation of the League the Secretariat had found it necessary to assist in the composition of the General Committee. He had endeavoured to reduce the role played by the Secretariat in this respect. The selection of Chairmen of Committees, for example, required some consideration in advance in order to secure the valuable element of continuity in membership, and also to secure good Chairmen from the point of view of contribution to technical work. The General Committee was tending more and more to become the central organ of the Assembly and should therefore reflect the chief political forces in the Assembly, and no important element should be permanently excluded. The securing of the best men for the offices and of a fair representation of all points of view could best be achieved by the creation of a Nominations Committee.

The First Committee after lengthy discussions recommended, and the Assembly later adopted, amendments in the Rules of Procedure providing that the Bureau or General Committee should consist of the President of the Assembly, eight Vice-Presidents and the Chairmen of the six main Committees of the Assembly, the Agenda Committee and the Committee on Credentials, and that for an experimental period of three years a Committee should be appointed



at the beginning of each Assembly to nominate candidates for all offices carrying membership on the General Committee, delegations, however, retaining the right to vote for persons other than those so nominated.

## SECOND COMMITTEE

### (Economic and Financial, Transit and Health Questions)

The Second Committee had before them three preparatory studies: a Note of the Secretary General attached to the Report on the Work of the League for the Year, the Economic Committee's Report to the Council, and the observations on this report by the Financial Committee.

In the Secretary-General's Report two problems were stressed, problems which he said could not settle themselves: first, the disequilibrium of world prices, and second, the restraints on the freedom of trade. These same questions were studied by the Economic Committee who expressed the view that the restoration of international trade depended upon the adjustment of prices in countries with gold standard currencies to the levels prevailing in countries with depreciated currencies. In their opinion the effort to maintain the value of a currency on an excessive price level made necessary a whole series of restrictions on trade, measures which aggravate the disparity of price levels and thereby defer recovery.

The Economic Committee did not consider opportune the holding of a world Conference but thought that action to restore the free circulation of goods, capital and persons should be supported by a vigorous effort of international co-operation. These views were supported by the Financial Committee.

But, on 25th September, while the Second Committee was still at the early stages of its deliberations, the French Government decided to submit to Parliament a bill to adjust the value of the franc to the present economic situation, and at the same moment the declaration drawn up jointly by the Governments of the United States of America, the United Kingdom and France was published simultaneously in Washington, London and Paris, by which these Governments expressed their desire to avoid disturbance of the basis of international exchanges resulting from the adjustment of the franc, and undertaking to use all suitable means for this purpose, including those which might be provided by the co-operation of their monetary organizations. They also asserted their determination to relax progressively the present quota system, with a view to its abolition, and expressed their hope of creating conditions favourable to the removal of exchange controls and generally to "contribute to the restoration of order in international economic relations." Within the following week Switzerland, the Netherlands, Italy, Czechoslovakia, Greece, Latvia and Turkey took action on somewhat similar lines to that of France.

The Committee therefore found that during the first few days of its work the whole background of the problem had changed and an optimistic tone became more evident. It was not felt that all difficulties had been surmounted, but rather that this action by France, the United Kingdom and the United States should be regarded as an encouraging first step. Several delegates pointed out that their countries had found it necessary to establish exchange controls to secure settlement of their foreign debts, or for the support of their currencies during a transitional period and that such measures could not be suddenly abandoned.

The Committee considered that whatever justification might be found for quantitative restrictions on trade at a time when national prices were so high that customs tariffs were no longer sufficient to protect national industries against competition, with the restoration of the equilibrium of prices, effective and automatic protection was accorded home producers, and the progressive removal of such restrictions should be looked for.

### *Nutrition*

The Second Committee had before it a number of documents on the subject of nutrition which had been placed on the agenda of the Sixteenth Assembly and on which a great deal of work is now in progress by various organs of the League. The more important documents before the Committee consisted of four volumes of interim reports prepared by the Economic and Financial and the Health Sections of the League, and by the Mixed Committee on Nutrition, covering such diverse subjects as the physiological basis of the problem of nutrition, relevant economic questions, racial, climatic and geographical differences in relation to the problem, and a general statistical study of the background of the problem in relation to food production, consumption and prices.

The problem is so vast and has so many aspects that the Experts Committee found it necessary to place chief emphasis on the influence of adequate nutrition on public health, and was content merely to outline the economic and agricultural aspects. It was felt that the national starting point, the question of essential concern to every State, "the point at which both the interests and the duty of the community took their rise," was that of health.

The Experts Committee noted that several countries had set up national nutrition councils or committees and expressed the hope that this example would be followed by other countries. In this view the Second Committee concurred and went further to suggest that later on it will be necessary to co-ordinate the activities of these national committees and to afford their responsible chiefs an opportunity to compare their experiences. The Second Committee also suggested that the economic aspects of the problem of nutrition should be examined more deeply and noted the possibility that the work on nutrition might contribute to the solution of national and international agricultural problems and hence to an improvement of the world economic situation. They urged that the Experts Committee should be asked to undertake such studies in the course of the next year and report to the next Assembly, and accordingly passed a resolution recommending that the Committee appointed to enquire into the question of nutrition should be reappointed for one year.

In the course of the debate the Canadian representative on the Second Committee, Mr. Riddell, referred to the interest in the question of a country like Canada, both from the standpoint of improved health and efficiency of its own people, and as a supplier of all the essential food stuffs required in an adequate dietary. Active steps are being taken to educate the population to the benefits of this dietary.

In recent years there had been a general improvement in diet in Canada. On the whole the diet of the average family appeared to be adequate and varied from the standpoint of calories. There was now, in general, a sufficient quantity of vitamin-containing foodstuffs such as milk, vegetables, butter and eggs. In many of the primary schools milk was provided at cost to the children and provision sometimes made for those who were unable to pay for it. The result had been that the vitamin-deficiency indicators show an encouraging downward trend in cases of rickets and scurvy. Deaths from rickets at ages of one year and over for the whole of Canada dropped from 99 in 1926 to 35 in 1935. Out of a hospital population of 94,000 there were only four cases of rickets and four of scurvy in 1935. The number of cases of tuberculosis has decreased throughout the country. In one of the provinces the rate is only 30 per 100,000. He concluded by calling attention to the steps taken by the International Labour Office to co-operate in the study of the problem.

### *Communications and Transit Organization*

The Second Committee took note of the fact that in January, 1936, the Council had instructed the Advisory and Technical Committee for Communications and Transit to frame a new draft statute of the Organization on the basis of the reforms recommended by the Committee appointed to study the

constitution, procedure and practice of League Committees, and approved by a resolution of the Sixteenth Assembly. They also had before them a report prepared by a Special Committee of Experts which pointed out certain difficulties in the way of the application of this resolution. Having taken these texts into consideration, the Second Committee drew up new guiding principles both as to the preliminary work to be done and the procedure to be followed with a view to the application of the new Statute.

The Second Committee also discussed the work of the Organization in relation to economic problems and in this connection reviewed the question of the co-ordination of transport. This had been considered during the Sixteenth Assembly, when it was noted that the problem of road and rail transport was engaging the attention of many Governments. The Committee noted that in accordance with the wish expressed by the Sixteenth Assembly the Organization had in progress a study of the problems of transport by road, rail and inland navigation. A number of delegates referred to the competition between motor transportation and the railways. The delegate of Czechoslovakia in particular proposed that the Organization should be asked to make a complete study with the assistance, if need be, of international associations of railways and users. He was supported by the delegate of the Netherlands.

### *Public Works*

The question of public works has been before the Communications and Transit Organization almost since the beginning of the depression, and the Organization has co-operated with the International Labour Office in a number of studies. At various times during the campaign against unemployment the problem of international financing of public works of an international character has been approached; but little has been accomplished, although attention has been paid to public works carried out by Governments and financed by their respective national treasuries. The Second Committee took note of a considerable amount of documentary material which has been collected from forty Governments giving detailed information in regard to the organization of such works and their results, the administrative methods adopted, methods of financing and the allocation of expenditure between labour and other costs, and the opinions of Governments as to the effects of such works on economic and industrial activity and unemployment.

The Second Committee then devoted its attention to certain technical questions of road and rail traffic, such as frontier railways and road signalling. The discussion of these topics was chiefly limited to delegates of European countries as the scope of these studies is almost completely limited to that Continent. The Committee noted that the International Institute for the Unification of Private Law at Home had in hand the study of civil responsibility of third party risks of motorists and expressed its gratification at the close collaboration which had been achieved between the Institute and the Communications and Transit Organization.

The work of the Advisory and Technical Committee on Communications and Transit having to do with the application of certain provisions to the Peace Treaties, (relating especially to the international control of the Danube, and the re-organization of railways in the territory of the former Austro-Hungarian Monarchy) was also reviewed.

### *Maritime Buoyage*

The Second Committee noted that the Agreement for the Unification of Buoyage and Maritime Signals had been opened for signature by the Council's Resolution of 13th May, 1936, and expressed the hope that Governments would take steps to accede to the agreement at an early date. In this connection



the Canadian representative on the Second Committee, Lt.-Colonel Vanier, made the following statement:—

"I have to inform the Committee that the Government of Canada have carefully studied all the draft agreements which have been drawn up since 1930 relating to a uniform system of maritime buoyage. The Canadian Government have, in each phase of the study of this question, submitted their observations and made suggestions. Unfortunately it is impossible for them to sign the agreement opened on the 13th May, 1936, for the signature of Governments, because on several points, the regulations thereby established are fundamentally different from the system in force in Canada, the United States of America and in other countries of the western hemisphere, as also in Australia, New Zealand and Japan since 1889."

### *Air Navigation*

For some time past the Communications and Transit Organization has been in communication with the Governments of European States concerning the text of an arrangement with the object of obtaining certain facilities for customs clearance of liquid fuel used in air traffic. General agreement has been achieved on the terms of such an arrangement, and the Committee noted that the Council had agreed to the Government of the United Kingdom taking steps for an agreement to be opened for signature by European States in London.

### *Radio-Nations*

The Second Committee took note of the report of the work of the Wireless Station in 1935, commenting in particular upon the most satisfactory use of the station in connection with the Italo-Ethiopian dispute. It also noted that a weekly service had been organized by the Information Section for the dissemination of information relating to League activities both by radio-telegraphy and radio-telephony.

Attention was further paid to the work of the Organization in technical collaboration with the Chinese Government.

### *Pollution of the Sea by Oil*

The study of this question has been undertaken by the Communications and Transit Organization for some time and as the result of a great deal of careful preparation a draft Convention and draft Final Act were submitted to the Council on 10th October for a decision as to whether a Conference should be convened to conclude a Convention and Final Act concerning the Pollution of the Sea by Oil. The Committee expressed the hope that all countries with important merchant fleets would take part in such a Conference and in the contemplated agreement, and recommended to the Assembly that the Governments of such countries should be invited to collaborate. In the course of the discussion in the Committee the Canadian representative, Lt.-Colonel Vanier, indicated the sympathy of the Canadian Government with the objectives after careful study of the draft Convention and the draft of the Final Act. They were prepared to participate in an international Conference on the basis of the drafts submitted by the Committee of Experts. They suggested, however, that concessions might be granted to certain vessels of low tonnage. The Canadian Government hoped that the Conference would be convened without delay.

### *Work of the Health Organization*

The Second Committee noted that this year marked the end of the Health Committee's three-year term which expires on 31st December and therefore felt that the time was opportune for an analysis of the policy of the Health Organiza-

tion and its method of work, with a view to the guidance of the new Committee. Various delegates expressed satisfaction that the permanent work of the Health Organization is making steady progress. References were made, among others, to the Epidemiological Intelligence Service, the work of Biological Standardization, the Malaria Commission and the Singapore Bureau. Several delegates, particularly those representing tropical countries, expressed the strong feelings of their Governments that the work on tropical diseases was most important and should be developed.

The Committee pointed out the value of collective study tours and exchange visits of public health officials. A number of tours of the Health Committee have been made during the past year to the United States of America and to the U.S.S.R. and it is felt that, as a considerable exchange of information and advice takes place, such tours benefit both those taking part and the country visited.

Reference was also made to the studies of the Health Organization on maternal mortality and morbidity. The delegates of Australia, Poland, Denmark, and the U.S.S.R. urged that further studies be conducted on this question promising the co-operation of their Governments.

The work of the Health Organization on Nutrition and its co-operation in this field with the Economic and Financial Sections and the various Committees was also considered and general approval was expressed of what had been accomplished so far. It was reported that in response to the Committee's appeal to the Academies of Medicine and learned societies of several countries, a number of enquiries had been organized into such phases of the question of general nutrition as nutritional state of children, relative nutritive value of various cereals according to the degree of milling, nutritive food requirements during the first year of life, the optimum amounts of milk required at different ages and similar other technical studies. All the members of the Committee were unanimous in recognizing the value of these activities of the Health Organization and in urging that they should be actively continued.

Also in connection with the work of the Health Organization the Second Committee discussed the problem of housing, noting that the first stage of the work had been completed for many countries and much documentary material had been obtained with the assistance of the authorities of the United Kingdom, Czechoslovakia, France, Italy, the Netherlands, Poland and Sweden, of which a good deal has been published.

The second stage, the examination of this documentation, was begun by the Health Committee after the Sixteenth Assembly and a plan for future technical studies drawn up. This plan is now being put into effect and proposes to place at the disposal of Governments any information or documentary material they may require on the principles of modern hygiene in urban and rural housing. The information available as a result of these studies will deal with a great variety of phases of the problem such as building materials, construction methods, heating, ventilation, hygiene and sanitation.

### *Physical Education*

The Second Committee noted that a report was now being prepared by the Health Organization on the subject of Physical Education. It was proposed that the study should be extended to the question of the rational employment of leisure in its relation to physical and mental health and that the co-operation of the International Labour Office should be secured in this work.

Note was also taken by the Committee of the various Conferences which have been held under the aegis or with the co-operation of the Health Organization and of the Conferences proposed for the coming year. Resolutions were presented to the Assembly on the subjects of Housing and Urban and Rural Hygiene.

## THIRD COMMITTEE

## (Reduction and Limitation of Armaments)

The Third Committee, which has not been convened by the Assembly since 1931, was set up during the Seventeenth Assembly as a result of the initiative taken by the French Government in the Assembly on 26th September, and on the following day in the Council, and by the delegations of Denmark, Finland, the Netherlands, Norway and Sweden which requested the convocation of the Third Committee. The Assembly, acceding to this request, set up the Committee for the purpose of proceeding to a general examination of the existing situation.

It will be remembered that the Conference for the Reduction and Limitation of Armaments which was convened in February, 1932, failed to achieve its object and has been inactive since the spring of 1935. Since that time its labours have been suspended although its various organizations, the General Commission, the Bureau, the Committees and Sub-Committees are available to resume their duties at any time. The armaments race which has followed the suspension of the work of the Disarmament Conference weighs heavily on all countries and in the debate in the Seventeenth Assembly a number of delegates urged that steps be taken to put into operation the machinery of limitation and control.

In the discussion in the Third Committee, which revolved largely around Article 8 of the Covenant, it was clear that the members of the Committee were of the opinion that the question of reduction and limitation of armaments must remain on the agenda of the League and that the task should not be abandoned whatever difficulties might be experienced.

In its discussion the Third Committee had before it that part of the Secretary-General's Report which related to armaments and the statements made during the general debate in the Assembly. In addition attention was called by some delegations to the observations on disarmament contained in the replies of Governments on the subject of the Application of the Principles of the Covenant. The preliminary report of the late Arthur Henderson, President of the Conference, also served as a basis for discussion.

The Third Committee examined the decision taken by the Bureau of the Disarmament Conference on 26th November, 1934, when it was considered that agreement might possibly be reached at an early date on the following subjects:—

- (a) Regulation of the manufacture of and trade in armaments.
- (b) Budgetary publicity.
- (c) Establishment of the permanent Disarmament Commission.

The Third Committee accepted the idea expressed by the Bureau on 20th November, 1934, namely, that, while general solutions should be held over until a later date—which it was hoped would not be too distant—certain questions should be given immediate consideration. In the Committee's opinion, the three questions mentioned above can be dealt with separately and, moreover, have reached a stage at which a solution may be possible at a relatively early date.

The view was expressed in the Committee that a beginning should be made with the draft Convention on Publicity of National Defence Expenditure. If agreement were reached, then an attempt should be made to proceed with the question of the regulation of the trade in and private and State manufacture of arms and implements of war.

The Committee noted with satisfaction that efforts had been made by a number of countries, including France, to regulate and control the manufacture of and trade in arms and was of the opinion that the texts prepared in 1935 by the Committee for the Regulation of Manufacture of and Trade in Arms mark a definite advance on previous work. With reference to the problems of publicity



of expenditure on and supervision of armaments manufacture, the Committee noted that there are still divergencies of opinion as to these proposals, which will have to be eliminated before further progress can be made.

The Committee noted that there is a technically complete plan on publicity of national defence expenditure, which can be adopted and applied as soon as the decisions of the competent authorities have been taken. They felt that success here would contribute to restoring confidence among Governments.

In the course of the discussion in the Committee, the desirability of setting up a Permanent Disarmament Commission was emphasized by several members. The Committee felt, however, that before the Commission is constituted agreement must be reached as to the questions to be brought under discussion. The French delegation were of the opinion that a convention on limitation and assistance in regard to air armaments might be dealt with at an early date; while other delegations were anxious that action should be taken in other directions as well. It was suggested that an effort should be made to obtain general adhesion to the Convention of 1930 on Financial Assistance and the General Convention of 1931 to Improve the Means of Preventing War. The delegate of Finland was of the opinion that the States signatory to the Convention on Financial Assistance might care to consider the deletion of Article 35 which makes entry into force conditional on the adoption of a plan for the reduction of armaments.

From the outset of its work, the Committee was unanimously of opinion that it could not in any sense lay down a scheme of future work for the reduction and limitation of armaments. Constitutionally, this work is at present entrusted to the Conference for the Reduction and Limitation of Armaments which includes non-Member States whose co-operation is of the utmost importance. The procedure for the resumption of the work of the Conference was, indeed, dealt with in a decision of the Council, dated 22nd January, 1936; although this decision merely indicates the connection existing between the permanent organs of the League of Nations and the Conference itself, and was intended to meet the situation created by the death of the President of the Conference, who had been appointed by the Council.

It was noted that the Council has at present before it a request from the French Government to convene the Bureau of the Conference. It is for the Bureau itself and, if necessary, for the General Commission, to take decisions regarding the future course of the Conference's work. The observations made during the Third Committee's discussions and those included in its report are, therefore, merely suggestions.

In conclusion, the Third Committee recommended that the Assembly request the Council to communicate to the Governments of the countries represented on the Conference the report of the Third Committee and the Minutes of the Third Committee's discussions.

#### FOURTH COMMITTEE

##### (Administrative and Budgetary Questions)

The financial position of the League was discussed at length by the Fourth Committee. The position was agreed to be much more satisfactory than for many years past. The careful supervision and administration of the League's expenditures, the success attained in dealing with arrears of contributions due by certain States, and the reduction in contributions for the coming year as the result of the devaluation of the Swiss franc and the Dutch florin, all helped to make the finances of the League one of the most satisfactory aspects of its activities.

##### *Budget of the League*

In accordance with the established practice, the estimate of expenditure for the calendar year 1937 drawn up by the administrative heads of the

Secretariat, the International Labour Organization, and the Permanent Court, and examined by a competent supervisory committee of five members under the chairmanship of Mr. S. Osusky, of Czechoslovakia, was discussed by the Fourth Committee. The audited accounts for the year 1935 were also reviewed. The estimates for the past four years show steady reduction, as follows:—

	Swiss francs
1933 budget.. . . .	33,429,132
1934 budget.. . . .	30,827,805
1935 budget.. . . .	30,639,664
1936 budget.. . . .	28,279,901

The expenditure budget for 1937 recommended by the Fourth Committee totalled 29,184,128 Swiss francs. This recommendation was approved by the Assembly.

The accounts for the calendar year 1935 indicated a surplus of 9,034,280 Swiss francs; in addition, the sum of 1,205,000 francs had been transferred to the Reserve Fund and the Guarantee Fund. Nearly the whole of the surplus was due to the collection of contributions in arrears for financial periods previous to 1935. On the recommendation of the Fourth Committee, the Assembly transferred from this surplus 4,500,000 gold francs to the Reserve Fund and 1,200,000 to the Guarantee Fund. Criticism has been made in previous years of the practice of over-budgeting, that is, including in the estimates a number of items to cover expenditures on conference or other activities, some of which might not actually be incurred. It was contended that this practice, whether intentionally or not, served to provide an offset against the deficiencies in the League's revenues due to the non-payment of contributions by a number of the Member States. There was little criticism on this score in the current meeting of the Fourth Committee. The practice which had latterly been adopted of leaving in the budget the estimates for all the contingencies approved by the Assembly, but making a percentage reduction from the total amount, had contributed to a closer approximation between estimates and expenditures. This had only been made possible by the establishment of a Guarantee Fund from the 1934 and 1935 surplus, and by the more prompt payment of contributions.

### *Administrative Questions*

Much consideration was given to the question of recruiting of staff. Emphasis was laid on the desirability of preventing an undue proportion of the senior members of the Secretariat being drawn from the nationals of a few of the Great Powers, and particularly upon the necessity of members of the Secretariat regarding themselves as servants of the League and not in any way as diplomatic agents of the countries of which they were nationals. It was recalled that in 1932 it had been decided that all higher officials of the League should take the following oath:—

"I solemnly undertake to exercise in all loyalty, discretion and conscience the functions that have been entrusted to me as Secretary General (or Deputy Secretary General, etc.) of the League of Nations, to discharge my functions and to regulate my conduct with the interests of the League alone in view, and not to seek or receive instructions from any government or any authority external."

The Supervisory Committee gave assurance that every effort would be made to preserve the international and impartial quality of the Secretariat. At the same time complaints were made by a number of the smaller States as to the inadequacy of representation of their nationals on the Secretariat.

### *Settlement of Contributions in Arrears*

The failure of a number of States, chiefly the smaller States, to pay contributions to the League, has been a subject of discussion for some years. While

the amount unpaid has never been a large proportion of the total contribution, the failure of certain States to meet their obligations was recognized as unfair to the countries which did do so, and a legitimate ground of criticism against the League. The activities of a special committee for the settlement of contributions in arrears, under the chairmanship of Mr. C. J. Hambro of Norway, backed up by the publication of the names of the delinquent members, has resulted in a very substantial improvement. In some instances arrears were cancelled, in others they were consolidated with provision for payment in instalments paid over a number of years, and in other cases, the arrears were collected in full. In the financial year 1935, 8,780,551 francs were received, as payment of contributions for previous financial periods. During the year 1936, the Committee had effected arrangements for the settlement of debt with Colombia and Liberia. Other arrears with respect to which no settlement had been effected, and covering more than one year, were due by the Dominican Republic, Guatemala, Nicaragua, Paraguay and San Salvador.

On the recommendation of the Fourth Committee, the Assembly decided to put into effect on January 1, 1937, the provision that when a State had made an arrangement for settlement of arrears and failed to pay promptly either its ordinary contribution or the annual instalment on past debts agreed to, the arrangement should be automatically cancelled and the whole debt revived.

While the situation was very satisfactory, it was decided to continue the Committee, as eternal vigilance was regarded as the price of solvency.

#### *Re-allocation of Contributions*

The allocation of the expenditures of the League to the several member States has been a constant source of difficulty and complaint. The Committee appointed for this purpose by the 1935 Assembly reported to the Fourth Committee. A number of representations were made to the Committee by certain States, which urged that their existing payments were beyond their capacity to pay, or out of line with contributions made by other members. The Committee recommended an increase in the contributions of a number of States by the following number of units out of a total of 923:

Soviet Union.. . . .	15
United Kingdom.. . . .	3
Austria.. . . .	2
Portugal.. . . .	2
France.. . . .	1
Netherlands.. . . .	1
Belgium.. . . .	1
Sweden.. . . .	1
South Africa.. . . .	1

On the other hand, reductions were made in the case of a number of other States as follows:—

Argentine Republic.. . . .	6
India.. . . .	6
Czechoslovakia.. . . .	4
Peru.. . . .	4
Australia.. . . .	4
New Zealand.. . . .	2
Bolivia.. . . .	2
Rumania.. . . .	1
Jugoslavia.. . . .	1
Chile.. . . .	1
Cuba.. . . .	1
Bulgaria.. . . .	1
Uruguay.. . . .	1
Venezuela.. . . .	1

No change was made in Canada's allocation. Canada continues to be rated at 35 units, ranking eighth out of the 54 members of the League.



The scale of allocation of League expenses for 1937, 1938 and 1939 was accordingly approved by the Assembly of the League on the following basis:—

States (French alphabetical order)	Units
Afghanistan.. . . .	1
Union of South Africa.. . . .	16
Albania.. . . .	1
Argentina.. . . .	23
Australia.. . . .	23
Austria.. . . .	10
Belgium.. . . .	19
Bolivia.. . . .	2
United Kingdom.. . . .	108
Bulgaria.. . . .	4
Canada.. . . .	35
Chile.. . . .	8
China.. . . .	42
Colombia.. . . .	5
Cuba.. . . .	5
Denmark.. . . .	12
Dominican Republic.. . . .	1
Ecuador.. . . .	1
Spain.. . . .	40
Estonia.. . . .	3
Ethiopia.. . . .	2
Finland.. . . .	10
France.. . . .	80
Greece.. . . .	7
Guatemala.. . . .	1
Haiti.. . . .	1
Honduras.. . . .	1
Hungary.. . . .	8
India.. . . .	49
Iraq.. . . .	3
Iran.. . . .	5
Irish Free State.. . . .	10
Italy.. . . .	60
Latvia.. . . .	3
Liberia.. . . .	1
Lithuania.. . . .	4
Luxembourg.. . . .	1
Mexico.. . . .	13
Nicaragua.. . . .	1
Norway.. . . .	9
New Zealand.. . . .	8
Panama.. . . .	1
Paraguay.. . . .	1
Netherlands.. . . .	24
Peru.. . . .	5
Poland.. . . .	32
Portugal.. . . .	8
Roumania.. . . .	19
Salvador.. . . .	1
Siam.. . . .	6
Sweden.. . . .	19
Switzerland.. . . .	17
Czechoslovakia.. . . .	25
Turkey.. . . .	10
Union of Soviet Socialist Republics.. . . .	94
Uruguay.. . . .	4
Venezuela.. . . .	4
Yugoslavia.. . . .	17

#### *Devaluation and Reduction of Contributions*

The bulk of the expenditures of the League are paid in Swiss francs as regards Secretariat and the International Labour Organization, and in Dutch

florins as regards the Permanent Court of International Justice. Both these countries have been on the gold standard. Accounts of the League have been kept in gold francs and contributions by League members have been made in the equivalent of the allocated number of gold francs. The decision of Switzerland and the Netherlands to devalue their currencies, following a similar decision by France, was taken while the Assembly was in session. It was impossible to make a final adjustment in view of the complexity of the factors involved, but following a report by the Supervisory Commission, the Fourth Committee proposed and the Assembly ratified, the following provisions:—

1. That as regards contributions in arrears or unpaid contributions for 1936, payment, should be made on the gold franc basis previously agreed upon.

2. That the expenditure budgets should be adopted in the form in which they had already been prepared, that is, in Swiss francs and in florins at the rate at which they stood before the devaluation; that the monetary unit of income budget should continue to be the gold franc; that a reduction of 20 per cent should be made in the contributions expressed in gold francs from the members of the League for the year 1937; and that a sum corresponding to the difference between the 20 per cent and the actual rate at which the Swiss franc and the florin were eventually valued was to be paid into a special fund, the bulk of which would be refunded to the members of the League at a later date.

The total income budget, that is the total amount to be paid by the members of the League, for the calendar year 1937, was set at 23,347,302 gold francs, allocated as follows:—

	Gold francs
Permanent Court of International Justice.. . .	2,049,066
International Labour Office.. . . . . . . . . . .	6,086,930
Secretariat and other activities.. . . . . . . . . .	15,211,306

The allocation of 2,062,480 gold francs from surplus reduced the net income budget to 21,284,822 gold francs. As Canada is allocated 35 units out of a total of 923, her contribution for 1937 is set at 807,116·8 gold francs, or at the current rate of exchange, 155,773·54 gold dollars.

## FIFTH COMMITTEE

### (Humanitarian and Social Questions)

#### *Child Welfare*

The Fifth Committee expressed its thanks to the special Committee on the Constitution, Procedure and Practice of the Committees of the League for the suggestions relating to the amalgamation of the Committee on Women and Children and the Child Welfare Committee into the Advisory Committee on Social Questions. It was of the opinion that this Committee should become a centre of international documentation on social questions for the convenience of Governments and voluntary organizations; that it should constitute a study centre and should assist in the organization of co-operation between Governments, prepare for conventions and international conferences and establish co-operation between private organizations in this field. While recommending this programme to the new Committee, the Fifth Committee did not exclude the possibility of dealing with new problems within the general field.

The Fifth Committee noted that at its meeting during the Sixteenth Assembly it had drawn the attention of the Advisory Committee to the importance of giving prior consideration to the normal child. In the discussion on the

work for the year, it was noted that the Advisory Committee had not yet found it possible to deal with two studies which had been recommended in this connection, the first, a study of the organization and conduct of Child Welfare Work with reference to the competence of authorities and of voluntary organizations, and the second, the extension of Child Welfare work to non-urban communities. These suggestions were therefore renewed.

In dealing with Budgetary Questions, the Fifth Committee, by resolution, asked the Fourth Committee that credits in 1937 for various items relating to the work of the new Advisory Committee on Social Questions should be increased..

Cognizance was then taken of seven subjects relating to children on which the Advisory Committee has been and is still working. These were, Boarding out of Children in Families, Recreational Aspects of the Cinematograph, Neglected and Delinquent Children, Information Centres, Nutrition, Family Desertion and Ill-Treatment of Children. The Committee noted that the study of Boarding out of Children in Families which is in progress, has resulted in a considerable amount of documentation, and approved of the continuation of this work.

With regard to the cinematograph, the Fifth Committee felt that attention should be given to the problem of the production of films specially intended for children and also noted with interest the possibility of utilizing films in order to stimulate interest in Child Welfare Questions. It was further suggested that the documentation collected by the Advisory Committee on Recreational Aspects of the Cinematograph should be published. Regarding the problem of neglected and delinquent children, the Fifth Committee noted that the Advisory Committee proposed to undertake in the coming year a general study of the treatment of such children and, with this, to conclude the study of this subject.

The problem of Nutrition was regarded by the Fifth Committee generally from the point of view of Child Welfare and Health and a number of the members of the Committee urged that the methods of educating the general public on the subject of Nutrition should be studied, as it was pointed out that, through ignorance, malnutrition was frequent in many families even though they had an income sufficient to provide adequate food. In particular the Committee advocated the education of all girls in the principles of nutrition and care of children.

Resolutions were submitted to the Assembly by the Fifth Committee relating to the establishment of liaison between the Advisory Committee on Social Questions and other Commissions and Committees, the drawing up of a scheme of study on the general organization of Child Welfare and the question of Nutrition.

#### *Assistance to Indigent Foreigners*

The Fifth Committee were informed of the work of the Committee of Experts which was appointed by the Council in 1931 to prepare a preliminary Draft International Convention on the subject of Assistance to Indigent Foreigners. In 1933 this Committee of Experts prepared a Draft Convention providing that each of the contracting parties should grant indigent nationals of the other contracting parties, residing in its territory and needing material or moral assistance, the same assistance as it granted its own nationals. As it was realized, however, that the conclusion of an international Convention would take a considerable time and the Committee was anxious to deal as soon as possible with the existing situation, it drew up fourteen Recommendations for immediate application, based on the principle that States should place foreigners as far as possible on the same footing as nationals and should safeguard the unity of the family. This Draft Convention and Recommendations were submitted to Governments by decision of the Council taken in January,



1934, and in January, 1936, the Committee of Experts met again to study the observations of Governments. Of the thirty-five replies from Governments and four from international organizations, the majority were favourable in principle to the drawing up of a multilateral Convention. Among the suggestions received was that of the conclusion of bilateral treaties.

The Fifth Committee were of the opinion that it would be premature to summon a diplomatic Conference to conclude a multilateral Convention on the subject; but, as the position of indigent foreigners is becoming more and more difficult, it recommended the expedition of procedure by asking Governments to send in their views on the provisions of the second Draft Convention which was submitted to them in July of this year. The Fifth Committee further recommended to the Assembly that the Council be asked to decide whether it is desirable to convene the Committee of Experts or to take any further action which may seem appropriate.

### *International Relief Union*

The Fifth Committee noted with satisfaction that during the past year the International Relief Union has continued to improve its methods of co-ordination for the administration of relief and the encouragement of research and preventive measures against disasters. They recommended to the Assembly a resolution that Governments consider the possibility of intensifying the action of the International Relief Union by securing the appropriate co-operation.

### *Penal and Penitentiary Questions*

The Fifth Committee had before it a considerable documentation on penal and penitentiary questions, including the Secretary General's report and communications from various Governments. Reference was made to the action of the Sixteenth Assembly in drawing the attention of Governments to information regarding the existence of various reprehensible practices, not only inconsistent with the standard of minimum rules but also contrary to the principles of rational treatment of prisoners. In the discussion many of the delegates referred to this resolution and reported on the progress made in their countries, the delegate of France informing the Committee of the intention of the French Government to abolish convict settlements. The delegate of the United Kingdom explained that his Government was continuing the practice of reporting to the International Prison Commission upon developments in prison administration and gave the Committee examples of recent legislation which had tended to reduce the numbers of persons committed to prison.

The delegate of Canada, Mr. Rogers, speaking to the question, stated that it was evident that the statistical information on prisoners was inadequate. The Fifth Committee therefore decided to request the Penal and Penitentiary Commission to assist in an enquiry into the number of prisoners over 18 years of age in different countries as at the end of 1936. It is hoped that this information will be available to the Commission by the end of March, 1937.

Reports on the year's work of the following five organizations were submitted to the Committee and reviewed by them:—

- International Penal Association;
- International Bureau for the Unification of Penal Law;
- International Penal and Penitentiary Commission;
- International Criminal Police Commission;
- The Howard League for Penal Reform.

In conclusion, the Fifth Committee expressed its thanks to Governments and to various international technical organizations for their co-operation in the study of penal and penitentiary questions, and recommended that the statistical enquiry mentioned above be undertaken and that an enquiry also be made into measures taken in different countries during recent years with the object of reducing the number of prisoners.

### *Advisory Committee on Social Questions*

The Fifth Committee took note of the amalgamation of the Child Welfare Committee and the Committee on Traffic in Women and Children which has now been effected under the new name of the Advisory Committee on Social Questions, and were of the opinion that this amalgamation would facilitate and make more efficient the social work of the League. Note was taken of the statement that a change of title does not imply any change in the terms of reference and that the new Committee must therefore place permanently on its agenda questions relating to the problem of the traffic in women and children as expressly mentioned in Article 23(c) of the Covenant. Under the new organization, the assessors formerly attached to the Advisory Commission for the Welfare of Children and Young People, as representatives of the international organization, are not recognized as members of the new Committee on Social Questions. The Fifth Committee concurred in the hope that the change in status of such assessors might not diminish the importance of their collaboration, which had always been of great service.

### *Traffic in Women and Children*

The Fifth Committee noted with satisfaction progress in the ratification of the various conventions for the protection of women and children and expressed the wish that Members of the League not yet parties to these conventions might ratify them as soon as possible. It was considered specially gratifying that the Convention for the Suppression of the Traffic in Women of Full Age (Geneva, 1933) has now been ratified or definitely acceded to by seventeen countries. The Committee noted that delay in ratifying this Convention by some countries is due not to lack of sympathy but to the necessity for bringing existing national legislation into conformity with it.

Note was taken that the Committee on the Traffic in Women and Children had at its meeting in April of this year approved the text of a draft Convention for the Suppression of the Exploitation of Prostitution. The Secretary-General has asked Governments to submit their observations on this draft by the 1st November. The time not having expired, the Committee was not in a position to draw up final conclusions, but noted that the existence of the system of licensed houses constitutes one of the chief contributing factors of the traffic and that one of the aims of the Advisory Committee on Social Questions should be the abolition of these houses.

The Fifth Committee also considered once more the difficulties encountered by the Secretariat in reviewing the reports on traffic in women and children and on obscene publications submitted by Governments and noted that, in spite of an appeal made by the Sixteenth Assembly, thirty-four Member States had failed to send in a report during the last year. The Committee did not feel that this situation could be regarded as satisfactory. The Committee noted, however, that the question of rearranging the questionnaire, which forms the basis of the annual reports, was under consideration and that Governments were asked to submit suggestions to the Secretariat before the 1st November, and hoped that with a revised questionnaire more countries will find it possible to report.

Appreciation was expressed by members of the Fifth Committee of the progress made in the study of measures of rehabilitation and note was taken of the preliminary report, prepared on the basis of replies from some forty-one countries, covering all phases of the question, social, economic and medical. The Committee was of the opinion that the study should be extended to preventive action, including the problem of minors in danger of becoming prostitutes, as it is felt that work in the early stages was likely to be much more effective.

### *The Far East*

The Fifth Committee noted that it had not been possible to make much progress on the question of women of Russian origin in the Far East. The Sixteenth Assembly had adopted a resolution authorizing the appointment of a woman to act as agent of the League of Nations there on condition that it should not involve any financial charge upon the League. In the interval since the last Assembly it has not been possible to raise the necessary funds, although some money has been collected and suggestions received as to a person suitable for the post. In the meantime the Managing Committee of the Nansen International Office for Refugees, at its meeting in July, decided to ask the League for a mission of two persons to be sent to the Far East to study the whole problem, and the Committee were of the opinion that the two missions might be combined, one of the two people being a woman who would act as agent in conformity with the resolution of the Sixteenth Assembly.

The Committee were informed that preparations for the Conference of Central Authorities in the East, to be held in Java in February, 1937, had reached as complete a stage as possible until the vote of the budget, and they approved of the agenda. Wishing to demonstrate their special interest in the work of the Conference, the Committee requested the Assembly to pass a resolution expressing hopes for the success of the Conference and in particular that practical measures for combating traffic in women and children may result from its discussions.

### *Traffic in Opium and Other Dangerous Drugs*

The Fifth Committee had before it the document issued by the Advisory Committee on the Traffic in Opium, the Permanent Central Opium Board and the Supervisory Body covering the work done during the year. The discussion on these reports covered a wide range and revealed encouraging unanimity of opinion.

### *Limitation of the cultivation of the opium poppy and cultivation and harvest of the cocoa leaf.*

The Committee were unanimously of the opinion that the next step in the work of combating narcotics should be directed to the reduction and control of raw materials and the suppression of the clandestine manufacture in parts of the world where raw materials are easily accessible and control is difficult.

The Committee supported generally the view of the Advisory Committee that the study of the two problems, of the opium poppy and cocoa leaf, should be carried on separately. Special attention was paid in the discussion to the preparatory work for the limitation of the cultivation of the opium poppy. The cultivation of the poppy, it was noted, is carried on in Afghanistan, Bulgaria, China, Greece, India, Iran, Japan, Corea, Turkey, U.S.S.R., and Yugoslavia by hundreds of thousands of farmers and the problem of limitation is a difficult one which will require careful preparatory work. As a first step, the Governments of the countries producing raw opium have been asked to furnish before the 31st January, 1937, the information requested by the Advisory Committee. A preliminary conference of the representatives of the manufacturing countries for the discussion of the problems relating to raw opium which affect them is contemplated, as well as a later conference to deal with the problems from the point of view of the producing countries. It will be for the Advisory Committee at its spring meeting to take the next step. Studies relating to the limitation of the production of the cocoa leaf will, it is anticipated, be carried on on parallel lines.

The Fifth Committee noted with approval the conclusion of the Convention of 1936 for the Suppression of the Illicit Traffic in Dangerous Drugs.



## SIXTH COMMITTEE

### (Political Questions)

#### *Intellectual Co-operation*

The Sixth Committee had before it a large number of reports on the various phases of the work under this head and noted that great progress had been made, largely as a result of the generous support afforded to the Paris Institute by the Rockefeller Foundation and a number of national committees on intellectual co-operation. Many delegates, particularly those of the South American States, gave very encouraging reports of this work in their respective countries. Reports were also received on work done in Egypt, Iran and Japan.

The Sixth Committee also discussed the application of the Convention on the Free Circulation of Educational Films and expressed the hope that this first Convention concluded under the auspices of the International Committee on Intellectual Co-operation would prove effective and useful. It further noted the draft Convention on the Use of Broadcasting in the Cause of Peace which had been under discussion at an inter-governmental Conference at the beginning of the present Assembly and was then opened for signature.

The draft Convention for the Protection of National Artistic and Historical Treasures, which is now under consideration by Governments, was noted and the hope expressed that it would be concluded before the next meeting of the Assembly.

A somewhat longer discussion took place upon the general problem of authors' rights, and some members of the Committee discussed the problem of reconciling or co-ordinating the two Conventions, the Berne Convention and the Havana Convention, the first of which applies chiefly in Europe and the latter in the New World. It was noted that a European Commission had gone to South America with the object of discussing the harmonization of these two Conventions.

Note was taken of the work of the Permanent International Studies Conference which met first in 1933 and is now engaged in an objective and scientific study of foreign policy. This was described by the delegate of Belgium as an "autonomous body within the Intellectual Co-operation Organization," and, being autonomous, able to pursue its work with the independence proper to scientific research, although in close co-operation with other bodies.

The Sixth Committee again discussed the various problems of teaching, including information on the League of Nations as well as the teaching of history and geography. It also noted that an effort was being made by the International Committee to study the problem of unemployment among intellectual workers. Various delegates stressed the importance of the revision of school text-books and referred to the declaration on the teaching of history which the Sixteenth Assembly invited the States Members to adopt.

On the initiative of the French delegation, with the support of the Sixth Committee, the Council and Assembly have been requested to approve the increase in the number of members of the Permanent Committee on Arts and Letters from fourteen to eighteen.

The future of the work of the Intellectual Co-operation Organization in the exact and natural sciences was also discussed by the Sixth Committee and it was pointed out that the Organization is not as well equipped for the work in these sciences as in the fields of foreign policy and the humanities. Note was taken of the meeting held in July last of a programme committee of scientists, which drew up a full scheme of work. The Sixth Committee approved highly of this scheme and expressed the hope that a permanent committee might be established.

The work of the International Museums Office was also reviewed and note taken of the request of the International Committee on Intellectual Co-operation that the Assembly should authorize communication to Governments of a number of recommendations on international art exhibitions.

The Sixth Committee heard M. Levillier delegate of Argentina on a proposal for a compilation of ethnographical and historical studies on Latin America, and approved the terms of a resolution which he proposed, appealing to Governments and institutions to place the necessary funds for the carrying on of this work at the disposal of the International Institute of Intellectual Co-operation. Contributions have already been promised by a number of Latin American States. In the course of this discussion the Bolivian delegate urged that some action should be taken to assist the safeguarding in the midst of the present dangers of the artistic treasures of Spain. His suggestion met with the approval of the Spanish and other delegates.

The Sixth Committee reviewed the programme of work for 1937 and noted the arrangements for a series of meetings and conferences to be held during the Universal Exhibition of Art and Technique in Modern Life to be held in Paris next year. Among these will be meetings of the International Studies Conference, the Permanent Committee on Arts and Letters, the Advisory Committee on League of Nations Teaching, and the second general Conference of the National Committee on Intellectual Co-operation.

In conclusion, the Sixth Committee recommended to the Assembly resolutions thanking the States contributing to the International Institute of Intellectual Co-operation for their support; approving the increase in the number of members of the Permanent Committee on Arts and Letters; supporting the work of the Committees on Exact and Natural Sciences and Education; and relating to the Declaration on the Teaching of History, the problem of unemployment among intellectual workers, the question of broadcasting and peace, and the recommendations to Governments on the holding of international art exhibitions. Other recommendations related to problems of authors' rights, the Universal Exhibition in Paris, the International Educational Cinematographic Institute, and the means of spreading information to be utilized in the cause of peace.

### *Mandates*

On the proposal of the Norwegian delegation the documentation on mandates was referred to the Sixth Committee. The activities of the mandatory powers and the work of the Council and of the Permanent Mandates Commission since the Sixteenth Assembly were reviewed. During the discussion in the Committee, a number of delegates emphasized the importance of maintaining the principle of economic equality in "A" and "B" Mandates. Several delegates discussed the situation in Palestine and expressed the hope that order and peace would soon be restored. The Polish delegation particularly emphasized the importance to its country of the development of a Jewish National Home in Palestine and the necessity of finding new outlets for Jewish emigration from Central and Eastern Europe. Several speakers emphasized the necessity of safeguarding the dual principles laid down in the mandate, providing a Jewish National Home on the one hand and guaranteeing the rights of the Arab population on the other. The delegate of the United Kingdom assured the Committee that his Government would supply the Mandates Commission with all information available as soon as the Royal Commission of Enquiry had made its examination of the disturbances and their causes, but that pending the report of the Royal Commission it was not possible to supply the Permanent Mandates Commission with adequate material.

The Sixth Committee also noted the statement of the Turkish delegate on the future of the population, of Turkish language and culture, in Syria and Lebanon. In reply the French delegate referred to the Statement of the Mandatory Power made in the Council at its meeting on 26th September concerning

the application of the Franco-Turkish Agreement. He also supplied particulars of the Franco-Syrian Treaty.

The delegate of the Union of South Africa called attention to the principle of non-militarization of native populations of mandated territories. This principle, he said, the Union Government accepted as being in the spirit of the duties imposed on it by the terms of the mandate and as conforming strictly to its own native policy. He also referred to the constitutional problem in South West Africa, of which he said a thorough study has been made, and repeated the statement made last year that his Government would inform the League of its intentions before any action was taken.

In conclusion, the Sixth Committee recommended a resolution to the Assembly expressing regret at the disturbances in Palestine, hope that order would be promptly restored and confidence in the impartiality of the enquiry instituted by the Mandatory Power. It also expressed appreciation of the efforts of the Mandatory Power with a view to bringing about the emancipation of Syria and Lebanon.

## GENERAL COMMISSION

### (Application of the Principles of the Covenant)

The resolution setting up the General Commission referred to the Assembly's recommendation of 4th July, 1936, and to the replies of Governments on the question of the application of the principles of the Covenant, and continued as follows:—

“Considering that among the problems which arise out of the question of the application of the principles of the Covenant, and which must therefore be covered by the enquiry into that subject, mention should be made of the problem, already considered by the League, of harmonizing or co-ordinating the Covenant with other treaties of a universal tendency aiming at the pacific settlement of international disputes—that is to say, the Treaty for the Renunciation of War, signed at Paris on August 27th, 1928, and the Treaty of Non-Aggression and Conciliation, signed at Rio de Janeiro on October 10th, 1933, on the initiative of the Argentine Republic, which treaties fall within the scope of Article 21 of the Covenant, and, like the Covenant, are designed to ensure the maintenance of peace;

“Considering that another problem already envisaged by the League of Nations is also connected with the question of the application of the principles of the Covenant—namely, the prohibition, in virtue of the provisions of the Covenant, of the supply of arms and war material to belligerents—a problem the study of which was entrusted by the Council to a Special Committee, which suspended its work owing to the fact that the Assembly was also dealing with the question of the application of the principles of the Covenant:

“Decides to set up a General Commission of the kind provided for in Rule 14 of the Rules of Procedure for the question of the application of the principles of the Covenant and all problems connected therewith, the Commission to report to the Assembly and submit its recommendations to the latter on the manner in which the study of these problems should be pursued.”

The General Commission was of the opinion that in order to fulfil its terms of reference it should make recommendations upon the preparation of the documentation and the setting up of a body to discuss it. The Commission agreed that it would be highly desirable that Governments which had not yet made known their views should forward to the Secretary General as soon as possible any proposals they might desire to make in reply to the Secretary General's Circular Letter (C.L. 124.1936.VII).



The Commission further considered what body should be set up for the further study of the problem after the documentation has been collected, and recommended the creation of a Committee including, besides all the Members of the Council, the delegates of certain other League Members.

The terms of reference laid down for the new Committee were, the making of a study of all the proposals regarding the application of the principles of the Covenant, in accordance with the Assembly recommendation of 4th July, 1936. Their report was to be submitted to the governments of all States Members to serve as a basis for the decisions to be taken. The Committee would be authorized to propose a special meeting of the Assembly should it consider it advisable.

As finally constituted, this Committee, which has become known as the Committee of Twenty-eight, consisted of the following States:—

Argentina	Italy
Austria	Latvia
Belgium	Mexico
Bolivia	Netherlands
United Kingdom of Great Britain and Northern Ireland	New Zealand
Bulgaria	Poland
Canada	Portugal
Chile	Roumania
China	Spain
Czechoslovakia	Sweden
Colombia	Switzerland
France	Turkey
Greece	Uruguay
Iran	Union of Soviet Socialist Republics.

During the course of the discussion in the Commission the question of securing the co-operation of non-member States was raised by the Chilean delegate who proposed:—

“In the interests of universality—an essential condition for the efficacy and success of the League of Nations—the Assembly considers it necessary to ascertain the views of non-member States, either by direct approach or by the convening of a diplomatic conference.”

The majority of the Commission, however, were of the opinion that it would be premature for the Seventeenth Assembly to consider this proposal. In the course of its work the new Committee, no doubt, will have to consider the question of universality and possibly to examine appropriate measures for ascertaining the views of non-members. When this stage is reached, the proposal of the Chilean delegate could then be considered.

It was noted by the General Commission that, by the terms of the resolution of the Assembly of 8th October the new Committee would take the place of the Committee of all the Members of the League appointed by resolution of the Twelfth Assembly, and also of the Special Committee appointed to study the question of the prohibition of the supply of arms and war material to belligerents.

The recommendations of the General Commission were adopted by the Assembly at its concluding sessions on October 10th.

We are, etc.

W. L. MACKENZIE KING  
R. DANDURAND  
N. McL. ROGERS  
O. D. SKELTON  
W. A. RIDDELL  
G. P. VANIER

## APPENDIX I

## AGENDA OF THE SEVENTEENTH ORDINARY SESSION OF THE ASSEMBLY

1. Election of officers, appointment of committees and adoption of agenda.
2. Report on the work of the League since the last Session of the Assembly.
3. Election of Non-Permanent Members of the Council.
4. Permanent Court of International Justice.
5. Rules of procedure of the Assembly.
6. Composition of bodies to which appointments are made by the Assembly.
7. Committees of the League of Nations.
8. Questions of prohibiting, under the provisions of the Covenant, the supply of arms and war material to belligerents.
9. Amendment of the Covenant of the League of Nations in order to bring it into harmony with the Pact of Paris; examination of the Treaty of Non-Aggression and Conciliation concluded at Rio de Janeiro on October 10th, 1933.
10. Composition of the Council.
11. Refugees.
12. Nutrition.
13. International repression of terrorism.
14. Audited accounts for the Seventeenth Financial Period (1935) and Auditor's Report thereon.
15. Budget of the League of Nations for the Nineteenth Financial Period (1937).
16. Report of the Supervisory Commission.
17. Contributions in arrears.
18. Allocation of expenses.
19. Report of the Administrative Board of the Staff Pensions Fund.
20. Economic and financial work.
21. Communications and transit.
22. Health work.
23. Traffic in opium and other dangerous drugs.
24. Social work.
25. Intellectual co-operation.  
Item inserted by Decision of the Assembly.
26. Application of the principles of the Covenant of the League of Nations.  
Item proposed by the Member of the League.
27. Convention on Nationality concluded on December 26th, 1933, at the Seventh International Conference of American States.

## APPENDIX II

### RESOLUTIONS ADOPTED BY THE ASSEMBLY DURING ITS SEVENTEENTH ORDINARY SESSION

#### 1. RULES OF PROCEDURE OF THE ASSEMBLY.

##### I.

The Assembly decides that the rule relating to the convening of the Finance (Fourth) Committee, established as an experiment by the Assembly's resolution of October 11th, 1933, shall be maintained for the session of 1937—namely:—

“The President of the Council, after consulting the Chairman of the Supervisory Commission, may convene the Finance Committee for a date preceding by not more than one week the first meeting of the ordinary session of the Assembly. The Committee shall be composed of the representatives accredited for the purpose by the Members of the League. It shall appoint its Chairman, who shall thereby become a member of the General Committee of the Assembly under the terms of Rule 7 of the Rules of Procedure. The establishment of the Committee shall be reported to the Assembly at the first plenary meeting of the Assembly.”

##### II.

The Assembly decides to amend its Rules of Procedure as follows:—

(1) Paragraph 3 of Rule 5 is amended to read as follows:—

“3. A Committee of nine members for the examination of the full powers shall be elected by the Assembly on the proposal of the President. The Committee shall appoint its own Chairman and Vice-Chairman. It shall report without delay.”

(2) Paragraph 1 of Rule 7 is amended to read as follows:—

“1. The General Committee of the Assembly shall consist of the President of the Assembly, eight Vice-Presidents and the Chairmen of the main Committees of the Assembly, the Agenda Committee and the Committee for the examination of the full powers.

“The Assembly may decide to add to the General Committee the Chairmen of other Assembly Committees and, in exceptional cases, other members.”

Paragraphs 2, 3 and 4 remain unchanged.

(3) A new rule, numbered 7(a), is inserted, reading as follows:—

“1. An Agenda Committee shall be set up at the beginning of each session. It shall consist of seven members, who shall be appointed by the Assembly on the nomination of the President.

“2. The Committee shall elect its own Chairman and Vice-Chairman.

“3. The Committee shall consider applications for the inclusion of new questions in the agenda of the Assembly, and shall report to the Assembly thereon.

“4. Proposals for the mere reference to one of the main Committees of portions of the Report on the Work of the League shall be decided upon by the Assembly without previous reference to the Agenda Committee.”

##### III.

The Assembly adopts as an experiment the following procedure which, unless otherwise decided in the interval, shall have effect down to the termination of the ordinary session of 1939:—



“Rule 7 (b)”

“1. At the commencement of each session, the Assembly shall appoint a committee of eleven members whose duty shall be to nominate candidates for functions which carry with them a seat on the General Committee.

“2. The provisional President of the Assembly shall submit proposals to it regarding the composition of this Committee.

“3. The Members of the Assembly and the Committees shall retain the right to vote for persons other than those proposed by the above-mentioned Committee.”

[Resolutions adopted on October 10th, 1936 (morning).]

## 2. COMPOSITION OF THE COUNCIL: PROVISIONAL CREATION OF TWO NEW NON-PERMANENT SEATS.

The Assembly,

Having considered the report of the Committee appointed to study the composition of the Council (document A.9.1936.V):

Approves the recommendation of the Committee for the provisional creation of two new non-permanent seats on the Council and, accordingly, declares that it is desirable that, for the period commencing with the election of the non-permanent Members of the Council at the Assembly's session of 1936, and ending with the election of the said non-permanent Members in the year 1939, the number of non-permanent seats on the Council should be provisionally increased to eleven:

And considering that, in the opinion of the Committee appointed to study the composition of the Council, with which the Assembly agrees, “it would be undesirable that a definitive solution of the problems connected with the composition of the Council should be postponed longer than is necessary”:

Recommends that, so soon as circumstances permit, the Council will appoint and convene a small committee of experts to draw up proposals on the subject.

The Assembly instructs the Secretary-General to bring this resolution to the attention of the Council.

[Resolution adopted on October 1st, 1936 (morning).]

\* \* \*

On October 2nd, 1936, the Council adopted a resolution creating provisionally two new non-permanent seats on the Council in accordance with the terms of the above resolution. The Assembly, on October 3rd, 1936, approved the Council's resolution, as required by Article 4 of the Covenant, and proceeded, on October 8th, 1936, to the election of the two additional non-permanent Members.

## 3. PERMANENT COURT OF INTERNATIONAL JUSTICE.

(i) *Method of Election to the Three Seats vacated by M. Walther Schücking, Mr. Frank B. Kellogg and M. Wang Chung-Hui.*

(ii) *Participation in the Election of the Judges of a State which is not a Member of the League but is a Party to the Statute of the Court.*

### I.

The Assembly, in agreement with the proposal of the Council, decides as follows:—

The two seats vacated through the death of M. Schücking and the resignation of Mr. Kellogg shall be filled by an election by *scrutin de liste*, at which the candidates nominated for those seats shall alone be eligible, and there shall be a separate election to fill the seat vacated by M. Wang, at which only the candidates nominated for that seat shall be eligible.

## II.

The Assembly,

Having regard to the provisions of the third paragraph of Article 4 of the revised Statute of the Permanent Court of International Justice;

Having regard to the proposal of the Council;

Decides that:

(1) If a State which is not a Member of the League but is a party to the Statute of the Court notifies the Secretary-General of its desire to participate in the election of members of the Court, such State shall *ipso facto* be admitted to vote in the Assembly;

(2) At any election of members of the Court which may take place before January 1st, 1940, Germany, Brazil and Japan, being States which are not Members of the League but are parties to the Statute of the Court, if they notify their desire to do so to the Secretary-General, shall, as a provisional measure and without prejudging any question of principle, also be admitted to vote in the Council;

(3) The Secretary-General is instructed to take the necessary measures to allow States which, though parties to the Statute of the Court, are not Members of the League of Nations to participate in the elections.

[*Resolutions adopted on October 3rd, 1936 (morning).*]

#### 4. CONVENTION ON NATIONALITY SIGNED ON DECEMBER 26TH, 1933, AT THE SEVENTH INTERNATIONAL CONFERENCE OF AMERICAN STATES.

The Assembly,

Having examined the item of its agenda which relates to the Convention on Nationality signed on December 26th, 1933, at the Conference of American States at Montevideo;

Being conscious of the importance for many States of the question of naturalization in the relations of States with one another:

Calls the attention of the Members of the League of Nations to the fact that the Convention of Montevideo is open to accession by all States.

[*Resolution adopted on October 10th, 1936 (morning).*]

#### 5. INTERNATIONAL REPRESSION OF TERRORISM.

The Assembly,

Having taken cognizance of the second report of the Committee for the International Repression of Terrorism and of the two draft Conventions annexed thereto (document A.7.1936.V.);

Recognizing the utility for the consolidation of peace of the conclusion of a convention for the prevention and punishment of terrorism;

Considering, however, that the replies of the Governments regarding the draft drawn up by the Committee (documents A.24.1936.V and A.24(a).1936.V) and the discussions in the First Committee have shown that certain Governments feel doubts which it is desirable to remove:

Expresses the view that the contemplated convention, founding itself upon the principle that it is the duty of every State to abstain from any intervention in the political life of a foreign State, should have as its principal objects:

(1) To prohibit any form of preparation or execution of terrorist outrages upon the life or liberty of persons taking part in the work of foreign public authorities and services;

(2) To ensure the effective prevention of such outrages and, in particular, to establish collaboration to facilitate early discovery of preparations for such outrages;

(3) To ensure punishment of outrages of a terrorist character in the strict sense of the word which have an international character either in virtue of the place in which preparations for them were made or the place in which they were carried out, or in virtue of the nationality of those participating in them or their victims;

Notes that certain Governments have disputed the advisability of creating an international criminal court, but that the trial of persons guilty of such outrages by such a court is felt by other Governments to constitute an alternative which, in certain cases, would be preferable to extradition or to prosecution, and that on this ground the second convention has been regarded by the latter Governments as valuable, even if it is not capable of securing general acceptance:

Recommends that the Committee revise its conclusions regarding its two drafts in the light of the observations to be found in the Governments' replies or formulated in the course of the debates, in order that the Council may convene a diplomatic conference in 1937.

*[Resolution adopted on October 10th, 1936 (morning).]*

## 6. WORK OF THE HEALTH ORGANIZATION.

### I.

The Assembly,

Recognizing the value of the Health Organization's studies in the field of urban and rural housing:

Considers it would be advisable to extend the scope of these studies so that the various aspects of the problem may be studied as a whole;

Requests the Council to invite the Economic, Financial and Health Committees and the International Labour Office to establish a suitable collaboration with a view to submitting to the next ordinary Assembly a general report on the question. This report would take into account the documentation already in the Health Organization's possession and might contain proposals in regard to further studies.

### II.

The Assembly,

Having examined the proposal submitted by the delegations of the Argentine, Bolivia, Chile, Colombia, Cuba, Dominican Republic, Ecuador, Haiti, Mexico, the Netherlands, Panama, Peru, Spain, Uruguay and Venezuela to the effect that a Conference on Rural Hygiene should be summoned for American countries:

Considers that, in view of the universal character of the technical activities of the League of Nations, it would be advisable to give effect to this proposal; and

Requests the Council to examine, with the assistance of the competent technical organizations and of the International Labour Office, the possibility of giving effect to the proposal at a date which would allow of the Conference being adequately prepared.

### III.

The Assembly,

Noting that the work of the Health Organization is designed to assist in raising the standard of health of the urban and rural populations in the various continents and to contribute to the solution of important problems of the moment in the fields of public health and social welfare:



Approves the work of the Health Organization;  
 Approves the conclusions of the Rapporteur;  
 And refers the suggestions contained in his report (document A.61.1936. III) to the Health Committee for consideration.

*[Resolutions adopted on October 8th, 1936 (afternoon).]*

## 7. WORK OF THE ORGANIZATION FOR COMMUNICATIONS AND TRANSIT

The Assembly,

Notes the work done by the Organization for Communications and Transit during the year 1935/36;

Greatly appreciates the results achieved in the various spheres of activity of that Organization and approves its work;

Adopts the Second Committee's conclusions and refers to the Organization for Communications and Transit for examination the suggestions contained in the Rapporteur's report (document A.78.1936.VIII).

*[Resolution adopted on October 10th, 1936 (morning).]*

## 8. ECONOMIC AND FINANCIAL QUESTIONS.

### I.

The Assembly,

Noting with satisfaction the joint declaration issued by the Governments of France, the United States of America and the United Kingdom on September 26th, 1936, and the adhesions thereto immediately given by several States;

Recognizing that this declaration harmonizes with the recommendations made by the Economic Committee of the League of Nations in its recent Report on the Present Phase of International Economic Relations (document C.378.M. 249.1936.11.B);

Considering that a concordant policy designed to re-establish a durable equilibrium between the economies of the various countries, to lay more solid foundations for the stability of economic relations and to promote international trade would effectively contribute to the consolidation of peace, the restoration of international order, the growth of world prosperity and the improvement of the standard of living of peoples:

Affirms the general desire of the States Members of the League to pursue the realization of these objects and invites all States, whether Members of the League or not, to co-operate fully to that end;

Urgently recommends all States, as an essential condition of final success, to organize without any delay determined and continuous action to ensure the application of the policy indicated above, to reduce excessive obstacles to international trade and communications, and in particular to relax and, as soon as possible, to abolish the present systems of quotas and exchange controls.

### II.

The Assembly,

Considering that the time has now arrived when discussion of and enquiry into the question of equal commercial access for all nations to certain raw materials might usefully be undertaken with the collaboration of the principal States, whether Members or non-members of the League, having a special interest in the matter:

Decides to request the Council, when it thinks fit, to appoint a Committee composed, in suitable proportions, of members of the Economic and Financial Committees of the League of Nations together with other qualified persons.

irrespective of nationality, to undertake the study of this question and report thereupon;

Recognizes that the choice of the raw materials to be considered should be at the discretion of the body thus appointed;

Believes that the participation in the work of the Committee of nationals of the non-member as well as Member States specially interested would be desirable;

Suggests that the Council should give attention to this consideration in reaching its decision;

And instructs the Secretary-General to communicate the present resolution to the Governments of non-member States.

### III.

The Assembly,

Considering that efforts to reduce the obstacles to the international circulation of capital must not have the effect of increasing fiscal fraud;

Being of opinion that double taxation is both one of the causes of fiscal fraud and at the same time a serious obstacle to the development of international economic and financial relations;

And holding that only concerted action based on specific agreements for international co-operation can ensure the accurate assessment and equitable allocation of taxes;

Requests the Fiscal Committee to pursue vigorously its work for the avoidance of double taxation as far as possible, and also its work on the subject of international fiscal assistance, in order to promote practical arrangements calculated as far as possible to put down fiscal fraud.

### IV.

Whereas the development of international intercourse must necessarily be hampered unless it takes place simultaneously in every sphere—that is to say, not merely in the international trade in goods, but also in the circulation of capital and the movement of men;

And whereas migration is at present at a standstill;

The Assembly:

Notes with satisfaction that a Migration Commission, set up in the International Labour Organization, has been convened for November to consider certain aspects of this serious question;

Expresses its confidence that this Commission and the International Labour Office will frame practical suggestions capable of being immediately put into effect and thus contributing to the settlement of the economic and social difficulties already mentioned;

Requests the Council to follow the work of the said Conference and to remain in touch in this connection with the International Labour Organization, so that the appropriate organs of the League of Nations may, should occasion arise, contribute to that work;

And decides to place the question of emigration on the agenda of its next ordinary session.

*[Resolutions adopted on October 10th, 1936 (afternoon).]*

## 9. NUTRITION

### I.

The Assembly:

Having considered the preliminary report of the Mixed Committee on Nutrition (document A.12.1936.II.B):

Takes note of the suggestions contained therein;

And decides, in support of the current efforts to provide the peoples with an adequate supply of necessary foodstuffs, especially protective foods, to recommend the Governments:

(1) To encourage and support, in every possible way, the scientific study of nutrition problems with a view to ascertaining the optimum nutrition for each country, due consideration being given to differences of national economic structure, climate and available sources of supply;

(2) To take all appropriate measures to ensure that the latest information about nutrition is included in the teaching of medical students, and that medical practitioners, medical officers of health, district nurses, etc., have such information constantly brought to their notice;

(3) To conduct a vigorous policy of education on popular nutrition for the instruction of the general public in this subject;

(4) To support the Health Organization of the League of Nations, not only in the work of its technical committees, but also in its endeavours in the field of public health and preventive medicine, to promote the application of modern nutritional science for the benefit of the different age and occupational groups of the population;

(5) To facilitate and promote international co-operation in education and propaganda and in the exchange of information, and, in particular, to encourage all appropriate international organizations to lend their help;

(6) To consider what steps should be taken, whether at the public charge or otherwise, to meet the nutritional needs of the lower-income sections of the community, and, in particular, the means by which they might ensure that an adequate supply of food, especially safe milk, should be made available for expectant and nursing mothers, infants, children and adolescents;

(7) To consider what further steps might be taken to meet the nutritional needs of adults, unemployed or otherwise, in distress;

(8) With a view to giving the fullest possible effect to national propaganda and educational efforts for the improvement of popular nutrition:

To take all possible steps to make food supplies, and especially protective foods, available at prices within the reach, so far as possible, of all classes of the community, while, at the same time, safeguarding the interests of producers;

To take steps to improve and cheapen the marketing and distribution of foodstuffs in both industrial and rural districts, and with these objects in view,

To encourage collaboration between co-operative and other forms of producers' and consumers' organizations;

(9) With a view to assuring purity of food, and in the interest of public health, to promote, so far as possible, the international standardization of the technical analysis and control of foodstuffs, and of the control of preparations sold primarily for their vitamin content, on the basis of the work being conducted on the standardization of biological products;

(10) To set up standards of reference and specifications for grading foods of all kinds according to quality;

(11) To consider whether any modification of their general economic and commercial policy is desirable in order to ensure adequate supplies of foodstuffs, and, in particular, to assist the evolution of agricultural production in order to satisfy the requirements of sound nutrition;

(12) In order, *inter alia*, to ascertain how far existing national dietaries fall short of the new standards of nutrition, to collect information on food consumption by families of different occupational groups at different income levels, as well as on the distribution of the population by family income;



(13) To consider to what extent and by what means their national statistics of the supply and consumption of individual foods might be improved;

(14) To assist the International Institute of Agriculture in collecting information regarding the supply, national consumption and prices of foodstuffs;

(15) To co-ordinate the work done by different authorities which affects the nutrition of the people and, in the absence of a central authority, to set up a special body for this purpose, in order to secure unity of policy and direction.

\* \* \*

Furthermore, the Assembly recommends the Governments concerned to give their full support to the Health Organization in its enquiries into the widespread malnutrition which exists in the tropics and certain Far-Eastern countries.

## II.

The Assembly,

In view of the provisional nature of the report submitted by the Mixed Committee on the Problem of Nutrition:

Decides to reappoint that Committee for one year, so that it can pursue its enquiries and, in particular, examine thoroughly the economic aspects of the problem of nutrition, and instructs it to submit a final report to the next Assembly, it being understood that the Committee, in so doing, will continue to co-operate with the International Labour Organization, the International Institute of Agriculture in Rome and any other international bodies interested in the question.

## III.

The Assembly.

Noting that National Nutrition Committees have been set up in various countries;

Realizing that it might be desirable to co-ordinate the activities of these committees internationally and to give their leaders an opportunity of comparing experiences:

Suggests that the Council, after consultation of the Chairman of the Mixed Committee on the Problem of Nutrition, should arrange, if occasion offers, for exchanges of views among the representatives of these Committees on the problems with which they are all concerned.

*[Resolutions adopted on October 8th, 1936 (afternoon).]*

## 10. CONSTITUTION, PROCEDURE AND PRACTICE OF THE COMMITTEES OF THE LEAGUE OF NATIONS.

### I.

The Assembly approves the new statutes of the Health Organization approved by the Council at its meeting on September 26th, 1936.

### II.

Whereas the Council noted, in the report of September 26th, 1936, concerning the framing of new statutes for the Communications and Transit Organization, that the situation referred to in the Special Committee's report makes it impossible to follow in every respect the guiding principles contained in the Assembly resolution of September 28th, 1935;

Being desirous, however, that the new statutes of the Organization should, as far as possible, be based on the guiding principles mentioned above:

The Assembly agrees with the suggestion contained in the report adopted by the Council on September 26th, 1936.

It therefore requests the Council to convene a further meeting of the Special Committee, which should be asked to undertake a general re-examination of the statutes of the Organization for Communications and Transit and to submit its proposals to the Council through the agency of the Rapporteur to the Council.

It empowers the Council to draw up and approve on its behalf the new statutes of the Organization after examining the preliminary draft prepared by the Committee.

*[Resolutions adopted on October 10th, 1936 (morning).]*

## 11. REDUCTION AND LIMITATION OF ARMAMENTS.

The Assembly,

Firmly convinced of the need of pursuing and accelerating the efforts made to bring about the reduction and limitation of armaments provided for in Article 8 of the Covenant:

Welcomes the action initiated by the French Government with a view to the early convocation at the most opportune date of the Bureau of the Conference for the Reduction and Limitation of Armaments, and

Requests the Council to communicate to the Bureau and to the Governments of the countries represented on the Conference the present report (document A.64. 1936.IX) and the Minutes of the Third Committee's discussions.

*[Resolution adopted on October 10th, 1936 (morning).]*

## 12. FINANCIAL QUESTIONS.

1. The Assembly, under Article 38 of the Regulations for the Financial Administration of the League of Nations, finally passes the audited accounts of the League of Nations for the seventeenth financial period ended December 31st, 1935.

2. The Assembly,

Under Article 17 of the Regulations for the Financial Administration of the League of Nations:

Passes for the nineteenth financial period ending December 31st, 1937, the budget of expenditure of the League of Nations amounting to 29,184,128 Swiss francs, and the *net* budget of income amounting to 21,284,823 gold francs;

And decides that the aforesaid budget shall be published in the *Official Journal*.

3. Subject to the proposals and amendments included in the present report, the Assembly adopts the conclusions of the various reports of the Supervisory Commission submitted for its consideration (see Annex).

4. The Assembly:

Takes note of the reports of the Administrative Board of the Staff Pensions Fund for the year 1936 (documents A.11.1936.X and A.11(a).1936.X) and the report of the Consulting Actuary on the Third Valuation of the Fund (document A.13.1936);

Decides that, for the present, the Fund shall continue to be valued annually by the Consulting Actuary;

Requests the Administrative Board to examine and report upon the effects of Article 19 of the Staff Pensions Regulations;

Requests the Supervisory Commission to examine with a delegation of the Administrative Board the changes which might be made in the Fund's system of management, in order to take account of the views expressed in this report;

Adopts the accounts of the Fund as submitted by the Auditor; and

Decides, having regard to Article 7, paragraph (a), of the Staff Pensions Regulations, that the contribution of the League to the Staff Pensions Fund shall, for 1937, be 9% of the pensionable emoluments of the members of the Fund.

5. The Assembly appoints to the Administrative Board of the Staff Pensions Fund, for the period ending December 31st, 1939:

As regular members:

Professor W. RAPPARD (Switzerland);  
Mr. Francis T. CREMINS (Irish Free State);  
Professor Harold CRAMER (Sweden).

As substitute members:

M. Jan DE MODZELEWSKI (Poland);  
M. C. PARRA-PÉREZ (Venezuela);  
M. C. VAN RAPPARD (Netherlands).

6. The Assembly adopts the present report of the Fourth Committee (document A.80.1936.X).

*[Resolutions adopted on October 10th, 1936 (afternoon).]*

#### ANNEX.

The conclusions of the reports of the Supervisory Commission relate to the accounts for the financial year 1935; budget and supplementary budget for 1937; amendments to the Financial Regulations (new Articles 33a and 33b and amendment to Article 16a; pensions for members of the Permanent Court of International Justice; recruitment and promotion (in the scale) of Members of Section; carrying forward to the financial years 1936 and 1937 of certain credits in respect of the buildings; payment to the budget of the Secretariat by States non-members of the League; Staff Pensions Fund; correspondents and temporary collaborators; supplementary credits; settlement of the Assyrians of Iraq.

These conclusions involve the adoption of the following new regulations or additions or amendments to existing regulations:—

#### A. *Regulations for the Financial Administration of the League of Nations.*

##### *Amendment to Article 16a.*

Substitute for the last two sentences of the first paragraph of Article 16a, the following text:—

"1. If such a proposal is received later than one month before the opening of the session or made during the session, it shall be dealt with as follows:

"(a) It shall be submitted directly by the Secretary-General to the Supervisory Commission for a report upon its general financial consequences;

"(b) Unless, after considering the report of the Supervisory Commission, the Assembly or the Finance Committee, by a special resolution adopted by a two-thirds majority, decides to take it into consideration during the current session, the proposal shall be adjourned until the next session of the Assembly;

"(c) If it is decided to deal with the proposal during the current session, the ordinary procedure laid down for supplementary credits should be followed, with the exception that the voting of a credit by the Finance Committee shall require a two-thirds majority."

##### *New Article 33a.*

"1. There shall be a special fund known as the Guarantee Fund which shall be administered and utilized as provided in the present article and may not be diverted from such use.



"2. (a) Where the Assembly, on a report from the Supervisory Commission, considers it to be probable that the actual expenditure under a chapter of a part of the budget concerning the Secretariat or an autonomous organization may be less than the total amount which it is desirable to vote in order to provide for all contingencies, it may:

"(i) Vote the credits without reduction, and

"(ii) Direct that part only of the total amount of the chapter shall be collected in contributions from the Members of the League and that the balance, if it should become necessary to spend it, shall be provided from the Guarantee Fund.

"(b) Reductions of contributions may only be effected under sub-paragraph (a) to the extent to which they are covered by sums available in the Guarantee Fund.

"3. In the case of the Secretariat, the Guarantee Fund shall be drawn upon directly by the Treasurer. In the case of the autonomous organizations, the competent officials shall apply to the Secretary-General, who shall give effect to their requests.

"4. The application to the Secretariat and the autonomous organizations of the provisions of the present article is subject to the supervision provided for in Chapter X of the present Regulations.

"5. The Guarantee Fund shall be alimented by the sums which the Assembly shall decide to have paid into it. It shall not form part of the budget as referred to in Chapter III of the present Regulations and shall be administered as a distinct account. A statement showing the position of the Fund and audited by the Auditor shall be annexed to the annual accounts presented to the Assembly.

"6. (a) If the statement shows any withdrawals from the Guarantee Fund, the amounts withdrawn shall be made good to the Fund from the budget within two years from the date of their withdrawal, unless the Assembly otherwise decides.

"(b) If, at the end of the financial year, the amounts shown in the statement as standing to the credit of the Guarantee Fund, together with any sums withdrawn from the Fund and still outstanding, exceed the amounts which the Assembly has decided from time to time to have paid into it, the amount of such excess shall be withdrawn from the Fund and treated as a receipt for that financial year."

#### *New Article 33b.*

"1. There shall be a Reserve Fund, the object of which shall be to ensure that the expenses of the League of Nations are duly met within the limits of the budget voted by the Assembly.

"2. The Reserve Fund shall be constituted by: (a) the sums which are received from Members of the League in respect of financial periods anterior by two or more years to the current financial period; (b) any other sums which the Assembly may cause to be paid into it; and (c) any interest earned on the investments of the Fund.

"3. The Fund shall not be drawn upon except in virtue of express authorization by the Supervisory Commission, which shall make a special report to the Assembly.

"4. The Reserve Fund shall be administered as a separate account. A statement showing the position of the Fund, audited by the Auditor, shall be submitted each year to the Assembly."

#### *B. Staff Pensions Regulations.*

(i) Add to Article 1, at the end of paragraph 1, the following sentence:

"For the purposes of the present Regulations, Registrars of the Permanent Court, other than the first holder of the office, shall be treated as officials of the Registry of the Court."

(ii) After the words "seven years" in paragraph 1 of Article 1, substitute the following text:—

"... and after a medical examination showing that the official is in good health, that he is free from any defect or disease likely to interfere with the proper discharge of his duties, and that there is no pathological personal or family history of, or definite predisposition to, any disease which might result in premature invalidity or premature death."

(iii) In paragraph 3, at (c), before the words "Deputy Registrar", add the words "the Registrar and".

#### *C. Regulations regarding the Granting of Retiring Pensions to Members of the Permanent Court of International Justice and to the Registrar (Adopted by the Assembly on September 14th, 1929).*

(i) In Article 6, first paragraph, omit the words "on the proposal of the Council".

(ii) Add new Article 7 as follows:

"The provisions of the present Regulations regarding the granting of a retiring pension to the Registrar of the Court shall only apply so long as the present Registrar (elected on February 3rd, 1922, re-elected on August 16th, 1929) remains in office.

"The conditions for the granting of a pension to future holders of the office shall be governed by the Staff Pensions Regulations (of the League of Nations), adopted by the Assembly on October 3rd, 1930, and by any amendments which have been or may be introduced in those Regulations."

D. *Administration of the Pensions Fund for the Members of the Permanent Court of International Justice: Regulations.*

1. To provide for the liabilities resulting from the carrying-out of the resolution adopted by the 1929 Assembly "concerning the Regulations governing the grant of pensions to the members and to the Registrar of the Court of International Justice", there shall be established, as from January 1st, 1937, a Pensions Fund which shall be administered separately from the other assets of the League and be applicable solely for the purpose provided for in the said resolution.

2. The Pensions Fund shall be alimented:

(a) By a capital of 343,135 florins out of the general surplus of the League in respect of the 1935 financial period;

(b) By a sum of 45,000 florins already set aside for the purpose of judges' pensions;

(c) By an annual amortization payment of 80,766 florins during the years 1937-1951, to meet liabilities incurred in respect of judges in office and retired, as on September 1st, 1936;

(d) By an annual contribution of 6,215 florins during the period of service of each new judge elected after September 1st, 1936;

(e) By the interest earned by investment of the Fund.

3. The Secretary-General of the League of Nations shall be responsible for the custody of the Fund. The budgetary provision shall be paid by the Registrar to the Secretary-General at such times throughout the year as will be arranged between them, having regard to the necessity of meeting current pensions.

4. The investment of the Fund shall be made by the Secretary-General of the League, who shall take the advice of the Investment Committee of the Staff Pensions Fund, or of such other Committee as the Assembly may appoint for the purpose.

5. The Fund shall be valued at five-yearly or such shorter intervals as the Secretary-General may decide. The report on the valuation shall be presented to the Assembly through the Supervisory Commission.

6. (a) The Registrar shall calculate and make all payments due as pensions from funds to be supplied as provided for under Section 3.

(b) The calculation of the amount due as an annual pension shall be made by the Registrar and confirmed by the Secretary-General.

(c) The Secretary-General shall be responsible for the maintenance of all actuarial and investments records. Such records shall be open for inspection by the Registrar.

7. (a) The accounts and annual balance-sheets shall be prepared annually by the Secretary-General and shall be audited by the Auditor of the League of Nations, and his report thereon shall be communicated to the Supervisory Commission, the Council, the Registrar of the Court and all the Members of the League.

(b) The Registrar shall be responsible for the maintenance of separate accounts for all payments made by him on account of pensions, such accounts to be supplied to the Secretary-General. He shall, moreover, supply the Secretary-General with a monthly statement of expenditure.

8. The Secretary-General in collaboration with the Registrar shall make such administrative rules as may be necessary for the purpose of carrying out the administration of the Fund. These rules shall be submitted to the Supervisory Commission.

\*  
\*   \*  
\*

### 13. CONTRIBUTIONS IN ARREAR.

The Assembly,

Adopts the report of the Special Committee on Contributions in Arrear contained in document A.29.1936.X with the following amendment:—

The last line of Paragraph No. 9 "Cancellation of Arrangements in Case of Default" (page 3 of the report) to read "The Committee recommends, therefore, that the cancellation clause should become operative as from January 1st, 1937";

Considering that, whilst the position as regards arrears of contributions has greatly improved, it is nevertheless necessary to maintain a vigilant attitude not only with regard to arrears but to the collection of current contributions:

Decides to appoint a Special Committee on Contributions, consisting of the following members, to deal with all matters that may arise in connection with the collection of contributions and to report to the Assembly at its eighteenth ordinary session:—

COUNT CARTON DE WIART (Belgium);  
 Sir Frederick PHILLIPS (United Kingdom);  
 M. C. J. HAMBRO (Norway);  
 M. Štefan OSUSKÝ (Czechoslovakia);  
 M. A. GUANI (Uruguay).

[*Resolution adopted on October 10th, 1936 (afternoon).*]

#### 14. ALLOCATION OF THE EXPENSES OF THE LEAGUE.

The Assembly approves for the years 1937, 1938 and 1939 the scale for the allocation of the expenses of the League annexed to the present resolution.

##### *Scale of Allocation of League Expenses for 1937, 1938 and 1939.*

States (French alphabetical order)	Units	States (French alphabetical order) <i>Brought forward</i>	Units
Afghanistan.. . . .	1	Iraq.. . . .	3
Union of South Africa.. . . .	16	Iran.. . . .	5
Albania.. . . .	1	Irish Free State.. . . .	10
Argentina.. . . .	23	Italy.. . . .	60
Australia.. . . .	23	Latvia.. . . .	3
Austria.. . . .	10	Liberia.. . . .	1
Belgium.. . . .	19	Lithuania.. . . .	4
Bolivia.. . . .	2	Luxemburg.. . . .	1
United Kingdom.. . . .	108	Mexico.. . . .	13
Bulgaria.. . . .	4	Nicaragua.. . . .	1
Canada.. . . .	35	Norway.. . . .	9
Chile.. . . .	8	New Zealand.. . . .	8
China.. . . .	42	Panama.. . . .	1
Colombia.. . . .	5	Paraguay.. . . .	1
Cuba.. . . .	5	Netherlands.. . . .	24
Denmark.. . . .	12	Peru.. . . .	5
Dominican Republic.. . . .	1	Poland.. . . .	32
Ecuador.. . . .	1	Portugal.. . . .	8
Spain.. . . .	40	Roumania.. . . .	19
Estonia.. . . .	3	Salvador.. . . .	1
Ethiopia.. . . .	2	Siam.. . . .	6
Finland.. . . .	10	Sweden.. . . .	19
France.. . . .	80	Switzerland.. . . .	17
Greece.. . . .	7	Czechoslovakia.. . . .	25
Guatemala.. . . .	1	Turkey.. . . .	10
Haiti.. . . .	1	Union of Soviet Socialist Republics.. . . .	94
Honduras.. . . .	1	Uruguay.. . . .	4
Hungary.. . . .	8	Venezuela.. . . .	4
India.. . . .	49	Yugoslavia.. . . .	17
<i>Carried forward.. . . .</i>	<u>518</u>	<i>TOTAL.. . . .</i>	<u>923</u>

[*Resolution adopted on October 10th, 1936 (afternoon).*]

#### 15. COMPOSITION OF THE SUPERVISORY COMMISSION.

Whereas, in virtue of the second and third paragraphs of Article 1 of the Financial Regulations, the members of the Supervisory Commission retiring at the end of 1936—M. Osuský and M. Réveillaud—are not re-eligible;



Whereas, in their respective capacities of Chairman and Rapporteur of the Supervisory Commission, M. Osuský and M. Réveillaud have rendered inestimable services both to the Commission and to the League of Nations as a whole;

Whereas, by a decision adopted on October 3rd, 1930, the Supervisory Commission was requested "to deal with all future financial questions which may arise in connection with the new buildings";

Whereas the new buildings are not expected to be completed until 1937;

Whereas it is eminently desirable that, subject to the addition of a new member, the Supervisory Commission should continue, as at present composed, to perform the task entrusted to it by the 1930 Assembly;

Whereas some amendment of Article 1 of the Regulations for the Financial Administration of the League of Nations appears to be necessary in order that the Supervisory Commission shall at all times contain members having a sufficient practical experience of the financial administration of the League to ensure the continuity of the work of the Commission and the proper exercise by it of its task, while maintaining the principle of its renewal at regular intervals;

The Assembly decides:

(1) To suspend the operation of paragraph 3 of Article 1 of the Regulations for the Financial Administration of the League of Nations;

(2) To maintain the existing membership of the Commission until the end of the financial year 1937, while adding a further member to be appointed at the present session;

(3) To appoint a Committee of three members to consider what amendments it might be desirable to make in Article 1 of the Regulations and to report thereon to the Assembly at its next session.

*[Resolution adopted on October 10th 1936 (afternoon).]*

\*  
\*   \*   \*

On October 10th, 1936 (afternoon), the Assembly, in accordance with the terms of the above resolution, approved the following appointments proposed by the Fourth Committee:

Member of the Supervisory Commission:

M. BORIS STEIN (Union of Soviet Socialist Republics).

Members of the Committee entrusted with the duty of considering what amendments it might be desirable to make in Article 1 of the Financial Regulations:

M. Harri HOLMA (Finland),  
Mr. W. S. MORRISON (United Kingdom),  
Professor W. RAPPARD (Switzerland).

## 16. TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS.

### I.

The Assembly,

Noting the decision, adopted by the Advisory Committee on the Traffic in Opium and Other Dangerous Drugs at its twenty-first session (May 18th-June 5th, 1936), and approved by the Council on September 19th, 1936, to continue the studies and the collection of documentary material relating to the control of the cultivation of the opium poppy with a view to convening at as early a date as possible a conference for the purpose of drawing up a convention for the limitation of this raw material;

Considering that the limitation of raw materials constitutes a decisive step in the campaign of the League of Nations against the abuse of narcotic drugs and a logical and necessary crowning of its efforts:

Recommends that all Governments shall furnish the Advisory Committee with every possible assistance in its preparatory work and particularly in the collection of the necessary information;

Invites the Governments of the producing countries to communicate, before January 31st, 1937, the information requested in the questionnaire addressed to them by the Advisory Committee;

Notes the decision of the Advisory Committee, as recorded in its report to the Council (document C.278.M.168.1936.XI), to examine at its next session the question of the creation of a Preparatory Committee for the purpose of establishing the principles which might serve as a basis for a convention;

Expresses the hope that the Advisory Committee will consider the possibility of holding preliminary conferences as soon as practicable: one conference to be attended by representatives of the countries producing raw opium, which export this product to drug manufacturing countries, and by representatives of these manufacturing countries; the other to be attended by representatives of the countries producing raw opium, which export this product to countries which have established a monopoly in respect of opium for smoking, together with the representatives of the monopoly countries;

Recommends that a general conference should meet as soon as practicable after these preliminary conferences;

Recommends that the preparatory work of the Advisory Committee and of the Secretariat shall be proceeded with as quickly as possible and should not be hampered by budgetary considerations.

## II.

The Assembly,

Noting with keen satisfaction the conclusion of the Convention of 1936 for the Suppression of the Illicit Traffic in Dangerous Drugs;

Considering that the universal application of the Convention is a necessary condition of its efficacy:

Recommends all Governments to take as soon as possible all such steps as may be necessary for the ratification of this Convention in order that it may promptly have its full effect.

## III.

The Assembly notes the report submitted by the Fifth Committee and adopts its conclusions (document A.63.1936.XI).

*[Resolutions adopted on October 8th, 1936 (afternoon).]*

## 17. TRAFFIC IN WOMEN AND CHILDREN.

### I.

The Assembly,

Having taken cognizance of the present position regarding the Conference of Central Authorities in the East to be convoked in conformity with previous decisions of the Council and the Assembly of the League of Nations;

Noting that the Conference will be held in February 1937, and that, on the invitation of the Netherlands Government, which the Assembly records with appreciation, it will take place at Bandoeng, Java;

Noting further that the following Governments have agreed to participate in the Conference: the United Kingdom (Governments of Hong-Kong and Malaya), China, France, India, Japan, the Netherlands, Portugal, Siam and the United States of America (the last-named being represented by an observer);

Considering the importance to be attached to the following questions, forming the agenda of the Conference: closer collaboration between the central authorities in the East; migration so far as it affects traffic in women and children; closer collaboration between the authorities and private organizations; the employment of women officials by authorities responsible for the welfare of women and children in the East; the abolition of licensed or tolerated brothels in the East; and the position of women refugees of Russian origin in that part of the world who have become, or are in danger of becoming, prostitutes:

Approves the proposed agenda, which it considers practical and in conformity with the matters raised in the report of the Commission of Enquiry into Traffic in Women and Children in the East;

Expresses the hope that the important task of the Conference will be brought to a successful issue and that practical measures for combating traffic in women and children may result from its discussions;

And sends to the Conference a message of greeting and of good wishes for a successful conclusion to its work.

## II.

The Assembly takes note of the report submitted by the Fifth Committee and adopts its conclusions (document A.62.1936.IV).

*[Resolutions adopted on October 8th, 1936 (afternoon).]*

## 18. CHILD WELFARE

### I.

The Assembly,

Thanks the Advisory Commission for the Protection and Welfare of Children and Young People for the efforts it has made to improve the lot of children and young people;

Suggests that, in view to better co-operation between the Advisory Committee on Social Questions and other organizations dealing with different aspects of social questions, liaison should be established with other Commissions and Committees when questions likely to concern the Advisory Committee are being discussed.

### II.

The Assembly,

Attaches particular importance to the decision of the Advisory Committee on Social Questions to draw up at its next session a "scheme of study"—that is to say, a programme of work;

And is of opinion that one of the first points in its work should be a study of the more important solutions that have been found for the problem of the general organization of child welfare in various countries.

## III.

The Assembly,

Approves the interest displayed and the efforts made by the Advisory Committee on Social Questions in regard to the social aspect of the problem of nutrition, and,



Considering that the study of the welfare of children living in urban communities and in rural districts is in many respects connected with the problem of nutrition:

Is of opinion that the Advisory Committee should deal in greater detail with the social aspects of this question in co-operation with the Mixed Committee on the Problem of Nutrition, particularly from the point of view of child welfare;

Recommends the Advisory Committee to consider the utility of pursuing the study of these two questions, which supplement one another.

*[Resolutions and Recommendation adopted on October 10th, 1936 (morning).]*

## 19. PENAL AND PENITENTIARY QUESTIONS.

The Assembly,

Having taken note of the Secretary-General's report on penal and penitentiary questions (document A.25.1936.IV):

Thanks the Governments for the reports that they have sent to the League this year (see document A.25.1936.IV), and requests them to continue to inform the League annually of any reforms that have been effected in their penal and prison systems;

Thanks the international technical organizations for their annual information on their work, and for their valuable co-operation in promoting the study of penal and penitentiary questions on international lines;

Instructs the Secretary-General to have recourse to the good offices of the International Penal and Penitentiary Commission asking it to institute, if necessary with the assistance of the League Secretariat, an enquiry

(a) Into the number of prisoners over eighteen years of age (separate figures being given for men and women) in the different countries at the nearest possible date to December 31st, 1936. By prisoners is meant persons deprived of their liberty (excluding those detained on account of mental or physical unfitness), whether

- (1) On remand, or awaiting trial,
- (2) Under judicial sentence, or
- (3) Detained and not included in the above categories;

Where possible, the figures should show the numbers of prisoners of each of these three categories;

(b) Into the measures taken in different countries during recent years with the object of reducing the number of prisoners.

*[Resolution adopted on October 10th, 1936 (morning).]*

## 20. ASSISTANCE TO INDIGENT FOREIGNERS.

The Assembly,

Noting the work of the Committee of Experts on assistance to indigent foreigners and the execution of maintenance obligations abroad, at its second session in January 1936 (document C.94.M.37.1936.IV):

Thanks the Committee for its efforts to improve the position of indigent foreigners by framing a second draft multilateral Convention on the basis of the observations of Governments;

Asks the Governments to send the Secretary-General, in conformity with his Circular Letter 118.1936.IV, dated July 13th, 1936, their observations on this second draft Convention by January 1st, 1937;

Requests the Council to take cognizance of these observations, and in the light thereof to decide whether or not it will be desirable to convene the Committee of Experts to study and report on the observations communicated by Governments and to take any other or further action which may seem appropriate.

*[Resolution adopted on October 10th, 1936 (morning).]*

## 21. INTERNATIONAL RELIEF UNION.

The Assembly,

Having taken note of the report on the activities of the Executive Committee of the International Relief Union from January 1st to December 31st, 1935 (document A.26.1936.XII) :

Expresses its gratification at the useful work done by that organization with a view to improving its means of action;

Emphasizes the value of the agreements concluded or contemplated with private organizations, as a method of increasing the efficacy of those means;

Expresses the hope that the Executive Committee of the Union may, thanks to the authority that the Union has acquired, continue to exert its beneficent influence;

And trusts that Governments will consider the possibility of intensifying the action of the International Relief Union by securing the appropriate co-operation.

*[Resolution adopted on October 10th, 1936 (morning).]*

## 22. MANDATES.

The Assembly,

Having noted the activity of the mandatory Powers, the Permanent Mandates Commission and the Council concerning the application of the principles laid down in Article 22 of the Covenant and in the texts of the mandates:

(a) Renews to them the expression of confidence voted by previous sessions of the Assembly, and pays a tribute to the results they have achieved thanks to a close and frank co-operation which it is essential to maintain;

(b) Expresses its profound regret at the disturbances which have been going on in Palestine since April 1936, hopes that order will be promptly restored, and has full confidence in the impartiality of the enquiry instituted by the mandatory Power;

(c) Expresses its appreciation of the efforts of the mandatory Power with a view to bringing forth the emancipation of Syria and Lebanon, has full confidence in its action to that effect, and hopes that the questions connected with the problem of emancipation will be equitably settled.

*[Resolution adopted on October 10th, 1936 (morning).]*

## 23. WORK OF THE INTELLECTUAL CO-OPERATION ORGANIZATION.

### 1. General Resolution.

The Assembly is glad to note that the activities of the Intellectual Co-operation Organization have been maintained and extended during the year 1935/36, despite circumstances which have often been very difficult, and that the programme carried out during the year, as well as that planned for 1936/37, is inspired by the constant desire to achieve work useful to the League of Nations, the States which belong to it, and intellectual workers themselves.

It approves the various reports which have been submitted to it, and particularly that of the International Committee on Intellectual Co-operation (document C.328.M.205.1936.XII) on the work of its eighteenth session, and that of the Governing Body of the International Institute of Intellectual Co-operation (document C.318.M.199.1936.XII), and thanks the Committee and the Governing Body for their systematic and persistent efforts.

The Assembly associates itself with the thanks offered by the International Committee on Intellectual Co-operation and the Council of the League of Nations to the Argentine, Hungarian and Spanish authorities and institutions for the generous assistance afforded by them to the work of intellectual co-operation on the occasion of the Buenos Aires and Budapest "Conversations" and of the ninth Permanent International Studies Conference held at Madrid.

In general, the Assembly warmly thanks the States which pay contributions to the International Institute of Intellectual Co-operation, thus giving a token of interest and confidence in its work, and affording the Institute moral encouragement and indispensable material assistance.

## 2. *Permanent Committee on Arts and Letters.*

The Assembly, noting the development of the "Conversations" organized by the Permanent Committee on Arts and Letters or under its auspices, and the interest evinced in these "Conversations" by a growing number of Governments, approves in its turn the proposal adopted by the Council on September 25th, 1936, to increase the number of members of that Committee from fourteen to eighteen, and inserts a supplementary credit of 5,050 Swiss francs for this purpose in the budget for the next financial period.

## 3. *Exact and Natural Sciences.*

The Assembly approves the programme of work prepared by the Committee of Scientific Experts, which met at Geneva on July 9th and 10th, 1936, hopes that it will be promptly carried into effect, decides to set up for this purpose the Permanent Scientific Committee requested by the experts, and, accordingly, decides that a supplementary credit of 10,000 Swiss francs be entered in the budget for the next financial year.

## 4. *Education.*

The Assembly, having noted the recommendation adopted on July 9th, 1936, by the Advisory Committee on League of Nations Teaching with regard to the proposal of the Swedish Broadcasting Corporation, recommended by the Ministries for Foreign Affairs of Denmark, Finland, Norway and Sweden, with a view, in particular, to the establishment of regular co-operation between the competent sections of the Secretariat on the one hand and the wireless broadcasting companies and adult education associations on the other, expresses the hope that the proposal will be carried into effect as soon and as widely as possible.

## 5. *Declaration on the Teaching of History.*

The Assembly hopes that the numerous States who have already approved the principles of the *Declaration on the Teaching of History*, adopted by the Assembly of the League of Nations at its sixteenth session, and since communicated to Governments by the Council of the League of Nations, will sign that document.

## 6. *Unemployment among Intellectual Workers.*

The Assembly, having taken cognizance of the plan prepared by the International Committee on Intellectual Co-operation to combat unemployment among intellectual workers:



Considers that the Committee's action in this sphere, conducted as arranged with the co-operation of the International Labour Office, may be of the greatest value to States;

Approves the measures proposed and requests the Governments to facilitate their application to the best of their ability.

#### 7. *Broadcasting and Peace.*

The Assembly expresses its satisfaction at the recent conclusion, under the auspices of the League of Nations, of an International Convention concerning the Use of Broadcasting in the Cause of Peace.

It is happy to note that this agreement was signed immediately on its conclusion by twenty States;

And hopes that the number of acceding Governments will increase as rapidly as possible, thus ensuring the maximum effectiveness to the Convention.

#### 8. *Fine Arts.*

The Assembly:

Asks the Secretary-General to transmit to the Governments the recommendations of the International Museums Office regarding International Art Exhibitions;

Expresses the hope, in this connection, that the competent national administrations will be guided in practice by the principles laid down in these recommendations.

#### 9. *Ethnographical and Historical Collection on the Origins of American Civilization.*

The Assembly,

Approving the resolution adopted by the International Committee on Intellectual Co-operation at its eighteenth session, regarding the plan for an ethnographical and historical collection on the origins of American civilization;

Having also taken cognizance of the revised plan submitted by Ambassador Levillier, which it approves subject to its acceptance by the International Committee on Intellectual Co-operation;

Having further been informed that the Governments of Ecuador, Mexico, Peru and Venezuela have offered to afford material support to the plan, that the Argentine Government offers to contribute a sum of 25,000 Argentine pesos per annum for the establishment of the collection, according to a plan and conditions of execution approved by it, and that the Faculty of Philosophy of Buenos Aires University has agreed to take charge of the Spanish edition:

Warmly thanks them for these generous contributions, and asks the Intellectual Co-operation Organization and its Executive Committee to examine, as soon as possible, the plan and the conditions in which it is to be executed. A special session of the Executive Committee, assisted by experts, should be held for this purpose, the costs to be defrayed out of the credits at the disposal of the Secretariat of the Intellectual Co-operation Organization for the current financial period.

The works are to be published in French and Spanish, under the supervision of the International Institute of Intellectual Co-operation in the case of the French edition, and of the Faculty of Philosophy of Buenos Aires University in the case of the Spanish edition.

The costs of the collection, which will serve as an intellectual link between America and the Old World, should be covered by the contributions already promised and by other contributions of Governments or institutions.

The Assembly urgently appeals to the Governments and institutions concerned to place the necessary funds at the disposal of the International Institute of Intellectual Co-operation.

#### 10. *Intellectual Rights.*

The Assembly:

Notes that the International Institute of Intellectual Co-operation and the International Institute for the Unification of Private Law have fully carried out the task entrusted to them by the sixteenth Assembly as regards the bringing into line of the Berne and Havana Conventions on Authors' Rights;

Hopes that the texts prepared, in co-operation with Senator Antuña, President of the Inter-American Commission on Authors' Rights, will be approved both in Europe and America, and that the next revision of the Berne Convention will provide an occasion for the conclusion of a universal convention on authors' rights.

#### 11. *Intellectual Co-operation Month at the 1937 Universal Exhibition.*

The Assembly, having been informed of the decisions taken by the International Committee on Intellectual Co-operation concerning the organization of various manifestations of intellectual co-operation in July 1937, at Paris, in connection with the Universal Exhibition of Art and Technique in Modern Life:

Warmly thanks the French Government and the General Commissioner of the Exhibition for their generous assistance;

Expresses the opinion that the proposed meetings are likely not only to make intellectual co-operation more widely known, but to give important results;

And, willingly acceding to the Council's wish, recommends these manifestations to the favourable attention of Governments, particularly the second General Conference of National Committees on Intellectual Co-operation, which should be attended by as large as possible a number of the representatives of these Committees.

#### 12. *International Educational Cinematographic Institute.*

The Assembly approves the resolution of the International Committee on Intellectual Co-operation concerning the International Educational Cinematographic Institute's work. It once more emphasizes the importance of the rôle assigned to that Institute by the Convention on the international circulation of films of an educational character, and expresses the hope that Governments would make full use of this Convention in encouraging exchanges of educational films likely to contribute to mutual comprehension between peoples.

#### 13. *The League of Nations and Modern Means of spreading Information utilized in the Cause of Peace.*

The Assembly,

Emphasizing once more the desirability of developing international co-operation and mutual understanding between nations;

Having regard to the rapid contemporary development of the technical means of disseminating information;

And considering that this development increases the possibilities of furthering the mutual exchange between nations of information relating to their respective institutions and cultures;

(1) Is of opinion that this question might well be the subject of discussion at the next ordinary session of the Assembly;

(2) To this end, invites the International Committee on Intellectual Co-operation to draw up, after such consultations as they may deem appropriate, detailed suggestions to form the basis of the Assembly's discussions;

(3) And further invites the Secretary-General to report on the above-mentioned technical means of spreading information at the disposal of the competent sections of the Secretariat in order that the Assembly may consider at its next ordinary session whether such means are adequate or whether their further development is desirable.

*[Resolutions adopted on October 10th, 1936 (morning).]*

## 24. INTERNATIONAL ASSISTANCE TO REFUGEES.

### I.

The Assembly,

Having examined, in the light of verbal explanations, the reports of the Acting President of the Governing Body of the Nansen International Office (document A.27.1936.XII) and of the High Commissioner for Refugees coming from Germany (document A.19.1936.XII);

Having taken into account the recommendations of the Committee for International Assistance to Refugees:

Thanks the Committee for its valuable report (document C.2.M.2.1936.XII), and Judge Hansson and Sir Neill Malcolm for the work which they have done during their term of office.

### II.

The Assembly,

Having weighed the many elements in the refugee problem;

Having noted that, in pursuance of previous decisions of the Assembly and in conformity with the recommendations of the High Commissioner for Refugees coming from Germany, the organizations created by the League of Nations on behalf of refugees will terminate at the end of 1938;

Having taken account at the same time of the continuing difficulties of this problem and of the importance of ensuring as soon as possible a uniform regime of legal protection for the refugees:

Recommends the Governments concerned to adopt the Convention of October 28th, 1933, relating to the international status of refugees (document C.650(1).M.311(1).1933) and the Provisional Arrangement of July 4th, 1936, concerning the status of refugees coming from Germany (document C.362.M.237.1936.XII);

Recommends also that Governments concerned should participate in the negotiation of a Convention for the protection of the refugees from Germany;

Considers, further, that the Assembly should, at the latest at its ordinary session in 1938, determine the general principles which, after that year, should govern the attitude of the League towards the refugee problem as a whole.

### III.

The Assembly:

Is happy to note that Governments have in certain cases been able to extend to refugees in their territories more liberal treatment than is provided for in the relevant international agreements, and having heard, with appreciation, the declaration made by the French delegation regarding recent measures adopted by the French Government in respect of refugees (legal status, joint committees, labour permits);



Expresses the hope that all Governments will adopt as liberal an attitude as possible towards refugees in their territories;

Notes, on the other hand, that serious difficulties have been created by the practice adopted in certain countries of withdrawing protection from their nationals abroad; and

Expresses the earnest hope that this practice may be discontinued.

#### IV.

The Assembly takes the following decisions in respect of the Nansen International Office and the High Commissioner for Refugees coming from Germany:

##### *Nansen International Office.*

The Assembly:

Has taken note of the previous decision of the Assembly that the Nansen Office should be liquidated within a specified time and according to fixed budgetary rules, and, in execution of this decision:

(1) Decides to appoint, until December 31st, 1938, a President of the Governing Body of the Nansen Office entrusted with the following duties:

(a) To carry on the administration of the Office, in accordance with the existing statute, until it has been liquidated, and to organize the activities of the Office during the period of liquidation, with the help of the technical services of the League of Nations;

(b) To draw up at an early date and, if possible, to submit to the Council at its session in May 1937 a detailed scheme for the liquidation of the Nansen Office; in any event, the report should be in the hands of Governments before July 31st, 1937, in order that the scheme may be considered at the next ordinary session of the Assembly;

(c) To make recommendations, in time for consideration by the Assembly at its ordinary session in 1938, on the best method of allocating the tasks undertaken by the Office up to the date of its liquidation in the light of the situation existing at that time;

(2) Notes the recommendations of the Acting President in regard to the settlement of different categories of refugees, especially those relating to the transfer of Armenian refugees to Erivan and to the position of the Armenian refugees settled in Syria;

Approves, while accepting the reservations made by the Fourth Committee, an additional grant of 200,000 Swiss francs to the Nansen International Office for the purpose of facilitating the transfer and settlement in South America of Saar refugees residing in France;

(3) Recommends that the following proposals of the Acting President should be brought to the notice of Governments for careful consideration:

(a) The encouragement, so far as circumstances permit, of the naturalization and absorption of refugees in countries in which they have been resident for many years;

(b) The issue of surcharged postage-stamps to assist the Nansen Office in its work;

(c) The general application of the principles of the Franco-Belgian Agreement of June 30th, 1928.

##### *Refugees coming from Germany (Jewish and Other).*

The Assembly decides that a High Commissioner shall be appointed until December 31st, 1938, for the purpose of liquidating, so far as possible, the problem of refugees coming from Germany, and that the High Commissioner's duties shall include, in particular, the following:

(1) As regards the improvement of the legal status of refugees: to approach Governments in order to obtain their accession to the Provisional Arrangement of July 14th, 1936, and to prepare an intergovernmental Conference for the adoption of an international convention on the status of these refugees;

(2) As regards questions of emigration and final settlement: to encourage initiative on the part of private organizations; to support such initiative by negotiations with the Governments of the countries of refuge; and, if necessary, to have definite plans for colonization and emigration studied on the spot, in agreement with the Government concerned;

(3) To maintain contact with the various private organizations, in particular through the Liaison Committee of an international character which has already been set up;

(4) To submit an interim report to the Assembly at its next ordinary session, and, at its session of 1938, to present a report on the situation of the refugees at that moment, and on the progress made towards the final solution of the problem, and definite proposals in regard to the future.

The Assembly decides to grant, for the administrative expenses of the High Commissioner for the year 1937, a sum of 82,500 Swiss francs.

## V.

The Assembly,

Having taken note of the report of the Governing Body of the Nansen International Office for the year ending June 29th, 1936:

Expresses appreciation at the satisfactory results of the general application of the Nansen stamp system in France, and hopes that a similar practice will be adopted in all countries;

Again urges Governments not to expel refugees until they have obtained entrance visas for another country;

Requests the Governments of the immigration countries to continue to co-operate with the Office by informing it of the possibilities of settlement in their territories; and

Recommends Governments to consider the advantage of capitalizing their expenditure on refugees and of placing such funds at the disposal of the Office for the settlement of refugees.

## VI.

The Assembly,

In order to give effect to the provisions of resolution IV above:

(1) In accordance with Article 6 of the Statute of the Nansen International Office for Refugees, appoints Judge Hansson as President of the Governing Body of the Office until December 31st, 1938, and grants him a credit of 5,000 Swiss francs for representation allowance for the year 1937;

(2) Requests the Council to appoint, in the course of its present session, a High Commissioner for the Refugees coming from Germany (Jewish and other), until December 31st, 1938.

*[Resolutions and recommendations adopted on October 10th, 1936 (afternoon).]*

\* \* \*

On October 10th, 1936, the Council appointed Major-General Sir Neill MALCOLM, High Commissioner for Refugees (Jewish and Other) from Germany until December 31st, 1938.

## 25. APPLICATION OF THE PRINCIPLES OF THE COVENANT OF THE LEAGUE OF NATIONS AND PROBLEMS CONNECTED THEREWITH.

The Assembly,

Recalling its recommendation of July 4th, 1936, and its resolution adopted on October 8th, 1936:

Adopts the foregoing report (document A.83.1936.VII); and

Decides to set up the committee proposed in this report to study all the proposals which have been, or may be, made by Governments regarding the application of the principles of the Covenant and the problems connected therewith.

On the basis of this study, the committee will prepare a report, as soon as possible, indicating the definite provisions, the adoption of which it recommends with a view to giving practical effect to the above-mentioned recommendation of July 4th, 1936.

This report shall be submitted to the Governments of the States Members of the League of Nations to serve as a basis for the decisions to be taken in this matter.

The committee shall be authorized to propose a special session of the Assembly, should it consider it advisable to do so.

*[Resolution adopted on October 10th, 1936 (morning).]*

## 26. COMMISSION OF ENQUIRY FOR EUROPEAN UNION.

The Assembly,

Having consulted its General Committee on the procedure to be followed with regard to the question appearing on the agenda for the session as Item 6(a) (Commission of Enquiry for European Union):

Notes that circumstances have been such that the Commission has been unable to meet since the last session;

And decides, such being the case, to renew the mandate of the Commission of Enquiry for European Union for the coming year and to place the question on the agenda for the next session of the Assembly.

*[Resolution adopted on October 8th, 1936 (afternoon).]*

## 27. APPOINTMENT OF A SPECIAL MAIN COMMITTEE FOR THE QUESTION OF THE APPLICATION OF THE PRINCIPLES OF THE COVENANT OF THE LEAGUE OF NATIONS AND PROBLEMS CONNECTED THEREWITH.

The Assembly,

Acting upon the recommendation adopted by the Assembly on July 4th, 1936;

Having regard to the replies of the Governments of the Members of the League to the invitation extended to them in pursuance of that recommendation;

Having regard to the statements that have been made concerning the application of the principles of the Covenant during the general discussion;

Considering that among the problems which arise out of the question of the application of the principles of the Covenant, and which must therefore be covered by the enquiry into that subject, mention should be made of the problem, already considered by the League, of harmonizing or co-ordinating the Covenant with other treaties of a universal tendency aiming at the pacific settlement of international disputes—that is to say, the Treaty for the Renunciation of War, signed at Paris on August 27th, 1928, and the Treaty of Non-Aggression and



Conciliation, signed at Rio de Janeiro on October 10th, 1933, on the initiative of the Argentine Republic, which treaties fall within the scope of Article 21 of the Covenant and, like the Covenant, are designed to ensure the maintenance of peace;

Considering that another problem already envisaged by the League of Nations is also connected with the question of the application of the principles of the Covenant—namely, the prohibition, in virtue of the provisions of the Covenant, of the supply of arms and war material to belligerents—a problem the study of which was entrusted by the Council to a Special Committee, which suspended its work owing to the fact that the Assembly was also dealing with the question of the application of the principles of the Covenant:

Decides to set up a Special Main Committee of the kind provided for in Rule 14 of the Rules of Procedure for the question of the application of the principles of the Covenant and all problems connected therewith, the Committee to report to the Assembly and submit its recommendations to the latter on the manner in which the study of these problems should be pursued.

*[Resolution adopted on October 8th, 1936 (afternoon).]*







1 EA  
R21

League of Nations

# REPORT

OF THE

## CANADIAN DELEGATES

TO THE

# EIGHTEENTH ASSEMBLY OF THE LEAGUE OF NATIONS

GENEVA

13th September - 6th October, 1937



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1938

Price, 10 cents.



CA 5/1  
R21

REPORT

OF THE

CANADIAN DELEGATES

TO THE

EIGHTEENTH ASSEMBLY OF  
THE LEAGUE OF NATIONS

---

GENEVA

13th September - 6th October, 1937



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1938



## TABLE OF CONTENTS

---

	PAGE
Organization of the Assembly.....	3
General Discussion on the Work of the League.....	4
Elections to the Council.....	8
First Committee—	
Status of Women.....	8
Unification of Private Law.....	9
Contributions of certain former States Members.....	9
Second Committee—	
Exchange Controls and Clearings.....	11
Nutrition.....	11
Urban and Rural Housing.....	11
Health Work.....	12
Communications and Transit.....	13
Third Committee.....	14
Fourth Committee—	
Closed Accounts for 1936.....	14
Financial Situation of the League.....	15
Expenditure Budget for 1938.....	15
Contributions.....	16
Fifth Committee—	
Social Questions.....	16
Training of Social Workers.....	17
Child Welfare.....	17
Prostitution.....	17
Reports by Governments.....	18
Assistance to Indigent Foreigners.....	18
Traffic in Opium and Other Dangerous Drugs.....	18
Penal and Penitentiary Questions.....	19
International Relief Union.....	20
Sixth Committee—	
Situation in Spain.....	20
Mandates.....	22
Intellectual Co-operation.....	22
Means of Spreading Information in the Cause of Peace.....	23
Intellectual Rights.....	23
International Assistance to Refugees.....	24
Approval of the Reports and Draft Resolutions of the Assembly Committees.....	24
Resolutions adopted on the Report of the Special Committee for the Application of the Principles of the Covenant.....	26
Resolutions adopted on the Report of the Far-East Advisory Committee.....	26
Adjournment of the Session.....	26

# Report of the Canadian Delegates to the Eighteenth Assembly of the League of Nations

---

OTTAWA, December 15, 1937.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned delegates, appointed to represent Canada at the Eighteenth Ordinary Session of the Assembly of the League of Nations, have the honour to report that the Assembly met at Geneva from September 13 until October 6, 1937. The Sessions were held, from September 28 to the close, in the new Assembly Hall of the Palace of the League. Fifty-two of the fifty-seven States Members of the League were represented; those which did not nominate delegates being Ethiopia, Guatemala, Honduras, Italy, and Salvador.

The Canadian delegation consisted of the Honourable Raoul Dandurand, Senator, the Honourable James L. Hsley, Minister of National Revenue, and the Honourable Vincent Massey, High Commissioner for Canada in the United Kingdom. Mr. W. A. Riddell, Dominion of Canada Advisory Officer accredited to the League of Nations, acted as substitute delegate. The Secretariat was composed of Mr. Jean Désy, Counsellor of the Canadian Legation, Paris, Mr. Paul E. Renaud, and Mr. Alfred Rive, Secretaries, Canadian Advisory Office, Geneva.

The proceedings of the Assembly were, in accordance with precedent, opened by the President of the Council, M. Juan Negrin, delegate of Spain. In his inaugural address, M. Negrin said that he would not speak of the situation in his country, but would simply offer the Assembly a greeting from Spain, which preserved an undimmed faith in the ideals of the League of Nations. He described the international situation as being one of unexampled gravity for all, signatures being no longer binding, or being binding only up to a point determined by the signatory himself. Once absolute, treaties were becoming relative, and often inoperative. This relativity would be the rule to-morrow, unless a way were found to stop the impunity with which the principles underlying every international community based on law and embodied in the League Covenant were being violated. The Assembly was about to draw up a program for the future. He hoped that its deliberations and resolutions would bear witness to the resolve of the States represented that international relations shall be governed by the principles of the League Charter—good faith and respect for Covenants.

## ORGANIZATION OF THE ASSEMBLY

His Highness the Aga Khan, delegate of India, was elected President of the Assembly. M. Motta, President of the Swiss Confederation, was elected Honorary President. The ballot for Vice-Presidents resulted in the election of the first delegates of the United Kingdom, France, U.S.S.R., Poland, Turkey, and the Irish Free State.

After the adoption of the Agenda, the Assembly set up the following Committees, under the Chairmen named, to deal with the various subjects coming before it:—

First Committee (Constitutional and Legal Questions)

M. Politis (Greece)

Second Committee (Economic and Financial Questions)

M. Osusky (Czechoslovakia)

Third Committee (Disarmament)

M. Holsti (Finland)

Fourth Committee (Administrative and Budgetary Questions)

M. Guani (Uruguay)

Fifth Committee (Social and Humanitarian Questions)

Countess Apponyi (Hungary)

Sixth Committee (Political Questions)

M. Santos (Colombia).

A General Committee or Bureau entrusted with the general direction of the work of the Assembly was set up, composed of the following officers of the Assembly:—

The President of the Assembly

The Vice-Presidents of the Assembly

The Chairmen of the six standing Committees

The Chairman of the Agenda Committee

The Chairman of the Nominations Committee

The Chairman of the Credentials Committee

#### *Representation of Canada on the Committees:*

The Canadian delegation was represented on the Committees as follows:—

##### *First Committee*

The Hon. Raoul Dandurand  
Mr. Jean Désy

##### *Second Committee*

The Hon. James L. Ilsley  
Mr. W. A. Riddell

##### *Third Committee*

The Hon. Raoul Dandurand  
The Hon. Vincent Massey

##### *Fourth Committee*

The Hon. Vincent Massey  
Mr. P. E. Renaud

##### *Fifth Committee*

Mr. W. A. Riddell  
Mr. Alfred Rive

##### *Sixth Committee*

The Hon. Raoul Dandurand  
The Hon. James L. Ilsley

The Honourable James L. Ilsley and Mr. W. A. Riddell were elected Vice-Chairmen of the Second and the Fifth Committees, respectively, and were called upon to preside over several meetings of those Committees.

## GENERAL DISCUSSION ON THE WORK OF THE LEAGUE

In accordance with precedent, the Assembly discussed in plenary session the annual report of the Secretary-General on the work of the League. No part of the report this year was given more attention than the reform of the Covenant and the chapters devoted to the situation in Spain and Palestine.

The discussion was opened by Mr. Edwards (Chile), who devoted his statement exclusively to the question of the revision of the Covenant and the problem of the universality of the League. He suggested that non-Member States be at once invited to set forth their views on the measures which might induce them to co-operate with the League Members in the work for peace. If there were any justification for saying that it was not possible to consult non-Member States without giving them some general bases, no such justification now existed



in view of Lord Cranborne's report analyzing the three types of League that might be contemplated—a coercive League, a non-coercive League or a conditionally coercive League.

Mr. WELLINGTON KOO (China) called the attention of the Assembly to the situation in his country. He explained the nature and extent of the Japanese aggression, the scope and the purpose of the policy which had inspired it, its menace to law and order in international relations, its dangers to the peace of the world and the general nature of the action which, in the view of the Chinese Government, should be taken by the League.

As to what should be done by the League he said:—

“For one thing this policy of continued armed aggression in flagrant violation of international law and treaty obligations should be clearly denounced. . . . For another thing, the illegal blockade of the coast of China jeopardizing the established rights of navigation and commerce should be expressly repudiated. It is the thin end of the wedge against the time-honoured principle of the freedom of the seas. Furthermore, I hope that the horrors of deliberate and indiscriminate bombing from the air by the Japanese warplanes of Chinese and foreign non-combatants in disregard of the sanctity of civilian life have not escaped your attention and that every voice in this Assembly will be lifted to condemn its practice.”

With regard to the procedure to be followed, Mr. Wellington Koo mentioned three possibilities:—

“The Chinese Government has formally appealed to the Council, invoking Articles X, XI and XVII of the Covenant. It is now for the Council to decide whether to proceed itself to consideration and action at once, to lay the question before the Assembly at the same time, or to refer it first to the Advisory Committee on the Sino-Japanese conflict set up by the Assembly on February 24, 1933.”

General TANCZOS addressed, on behalf of Hungary, a fervent appeal to the Committee of Twenty-eight, which is studying the question of revising the Covenant, to investigate closely and minutely all those provisions of the Covenant under which preventive and pacific action may be taken by the League. At the last Ordinary Assembly, he had drawn attention to the importance of Article 19 (Revision of Treaties) in the mechanism of the Covenant. In view of that importance, he could not but regret that no document concerning that Article had yet been published by the Committee. The impossibility of useful action by the League in the role of mediator as long as it had not the power to make proposals for a solution which would include a modification of the *status quo*, touched, in the opinion of the Hungarian delegation, upon the core of the problem.

The Foreign Minister of Egypt, Wacyf BOUTROS-GHALI Pacha made a statement strongly opposing the partition of Palestine. He claimed that partition could not be reconciled with the natural and sacred rights of the Arabs, for the latter could not be expected to acquiesce, as the Royal Commission's report suggested that they should, “in the exclusion from their sovereignty of a piece of territory, long occupied and once ruled by them.” It was a contradiction of the undertaking given by Great Britain to guarantee the independence of the Arabs. It would not solve the problem of peace in Palestine, nor settle the world Jewish problem. It would create two small hostile States lacking in substance and with no possibility of a permanent existence. It would set up a State based on religion, and that State would be composed of individuals belonging to different nationalities. As an alternative solution, the Egyptian delegate suggested the conclusion of a treaty between the United Kingdom and Palestine, on the model of the treaties signed with the other Arab countries.

Similar views were put forth by the delegate of Iraq, M. Tawfik el SWAIDY.

M. NEGRIN (Spain) submitted a resolution to the Assembly asking that the question of the situation in Spain be referred to the Sixth Committee. In making this request he traced the origin of foreign intervention back to the collusion of the Spanish insurgents with foreign sympathizers. He alleged that but for the foreign intervention of the so-called totalitarian States—Germany, Italy and Portugal—the rebellion would have been crushed in a few weeks.

Without denying the exalted motive which led the Governments of the Western democracies to take a decision intended to spare Europe the disaster of a general war, he considered that, unintentionally, the promoters of Non-Intervention enhanced the effect of Italian and German intervention by another form of intervention, which consisted in tying the Spanish Government's hands and preventing them from obtaining freely the war material necessary to put down the rebellion. He made a vigorous appeal for ending the policy of non-intervention which, he said, had now completely failed.

M. Negrin concluded by making the following requests:—

(1) That the aggression of Germany and Italy in Spain be recognized as such.

(2) That, in consequence of this recognition, the League examine as rapidly as possible the means by which that aggression may be brought to an end.

(3) That full rights once more be given to the Spanish Government freely to acquire all the war material it may consider necessary.

(4) That the non-Spanish combatants be withdrawn from Spanish territory.

(5) That the measures to be adopted for security in the Mediterranean be extended to Spain, and that Spain be granted her legitimate share in them.

The subject was referred by the Assembly to the Sixth Committee.

M. Delbos (France) assured the Assembly that France is unanimous in her belief that the surest hope of a harmonious and peaceful world is to be found in the Covenant. Experience and reason showed that, if the Covenant had been accepted and practised by all, the problem of peace would have been solved. The French Government could not believe that conciliation is impossible between even the most different countries and the most divergent forms of Government.

Mr. Eden (United Kingdom) placed before the Assembly the views of the Government of the United Kingdom towards armaments, the wars in Spain and in China and economic problems. The United Kingdom Government were prepared as ever to seek settlement of disputes by peaceful means. They were also prepared to join in an international agreement for the reduction and limitation of armaments, but until such agreement could be reached, they were determined to authorize such expenditure as might be necessary for their own defence and that of the territories of the British Commonwealth of Nations, as also for the fulfilment of their international obligations. So far, however, as collective action was concerned they must take account of the extent to which co-operation was forthcoming from those States, whether Members of the League of Nations or not, whose aid was known to be indispensable.

With regard to Spain, Mr. Eden said that non-intervention, which had so far been the Government's policy, was not being observed but that it would be dangerous if it came to an end. He admitted, however, that the present situation was equally dangerous. He also defended the recent Nyon Arrangement and said that it provided for reconsideration by the United Kingdom

and French Governments. Regarding China, Mr. Eden said that the Assembly had been deeply moved by Mr. Wellington Koo's appeal, and that the hope of co-operation among the Far Eastern countries, once strong, had now been dashed, and in place of hope there was only the fear of untold suffering to millions and of a heavy blow to trade and prosperity.

Turning to economic matters, he said, that they were convinced that an agreement on a most-favoured-nation basis between the United Kingdom and the United States for the reduction of their customs duties would be one of the most effective steps they could take in the interests of the whole world. Mr. Eden then commented at some length upon the conclusions of the League Raw Materials Committee, offering to enter into discussion for an abatement of particular preferences in non-self-governing colonial territories where these could be shown to place undue restrictions on international trade.

Mr. Bruce (Australia) expressed the view that in the present Sino-Japanese conflict the League should base its action on Article 11 (Conciliation) rather than on Articles 12-16 (Sanctions) and that accordingly the Council should arrange for a Conference of the Powers most vitally concerned in the position in the Far East, whether Members of the League or not, with a view to such a Conference getting in touch with the countries concerned in the dispute and endeavouring to arrange some settlement or concerting such measures as might be necessary and practicable.

M. Litvinoff (Union of Soviet Socialist Republics) said that he could not admit the argument that the League was powerless unless universal, and that aggression could be successfully combated only if League Members co-operated with the aggressor himself. Such co-operation had failed in the case of Spain. The Spanish question, he said, was withdrawn from the League of Nations, and transferred to the specially created London Committee for so-called non-intervention, in order to secure the co-operation of the principal authors of the Spanish tragedy, who cannot bear the spirit of Geneva. The results of this experience are known to everyone. Agreements were signed—immediately to be broken; resolutions were adopted—to be honoured by non-observance; schemes and plans were worked out—to be sabotaged and frustrated.

What was wanted, M. Litvinoff went on to say, was not universality, but that those who take part in any international organization or conference, whatever the difference between their national interests, should be united by a common universal idea binding them together, such as the idea of peace, the idea of respecting the integrity and independence of all peoples, the idea of outlawing force as an instrument of national policy, the idea which lies at the foundation of the Covenant of the League of Nations and the Pact of Paris.

M. Antonesco (Roumania), speaking as President in office of the Little Entente, said that the Covenant in its present form possesses all the elasticity required to meet the needs of international community. The Covenant, supplemented by the Statute of the Permanent Court of International Justice, the Optional Clause and the General Act, contained all the obligations necessary to ensure stability and peace. Hence it was not the reform of the Covenant that should be contemplated but the means for giving full efficacy to its present provisions.

M. Cantilo (Argentine Republic) proposed the adoption by the Assembly of the following draft declaration which he had just submitted to the Committee set up to study the Application of the Principles of the Covenant for its opinion:

Whereas the covenants of a universal tendency aiming at the pacific settlement of international disputes, by which the States Members and non-Members of the League of Nations are mutually bound, such as the Treaty for the Renunciation of War signed at Paris on August 27, 1928, and the



Treaty of Non-Aggression and Conciliation, signed at Rio de Janeiro on October 10, 1933, on the initiative of the Argentine Republic, are designed, like the League Covenant, and in accordance with Article 21 thereof, to ensure the maintenance of peace;

And whereas the Inter-American Conference for the Consolidation of Peace, which met at Buenos Aires on December 1, 1936, on the initiative of President Roosevelt, was actuated by the desire to supplement and strengthen the League's efforts to prevent war;

The Assembly declares that:

In the event of war or of a threat of war, the League shall take such measures and shall establish such contacts as may be necessary to associate in its efforts for the maintenance of peace those States which are not Members of the League, but are mutually bound by the above-mentioned covenants, the common aim of which is to maintain peace.

M. Cantilo explained to the Assembly in what spirit his Government conceived this draft declaration, what it considered to be the sense and scope of the declaration and the importance it attached to its adoption by the Assembly.

"By adopting it," he said, "the Assembly, while not affecting the Covenant, but rather taking into account above all the identity of the objects in view, will be extending its horizon and creating for the future wider possibilities of peaceful co-operation; while bringing together all the countries that are united by the supreme idea of peace, it will thereby do much to serve the ideal of universality that has been so often evoked and invoked."

The proposals submitted by Mr. Edwards and M. Cantilo on behalf respectively of Chile and the Argentine were favourably commented upon and supported by the spokesmen of the other Latin American Members of the League of Nations.

#### *Elections to the Council*

The three non-permanent seats on the Council, made vacant by the retirement of Chile, Spain and Turkey on the expiration of their three years' term of office, were filled during the Session by the election of Belgium, Iran and Peru. Spain and Turkey had submitted requests for re-eligibility. By votes taken by secret ballot the Assembly decided not to declare these Members re-eligible at the present elections.

### FIRST COMMITTEE

#### (Constitutional and Legal Questions)

##### *Status of Women*

The question of the status of women in all its aspects was put on the Assembly's Agenda by a joint request from fifteen Governments—namely, those of Albania, Bolivia, Bulgaria, China, Colombia, Cuba, Czechoslovakia, Ecuador, Finland, Haiti, Latvia, New Zealand, Turkey, the Union of Soviet Socialist Republics and Yugoslavia.

The discussion indicated clearly that the status of women is not a question which one can hope to see settled for all countries by the adoption of a simple and all-embracing formula. Although some speakers were inclined to consider that it would ultimately become possible to secure general acceptance for an international convention on the subject, no delegation proposed that the League should at present attempt to have such a convention negotiated under its

auspices, and certain delegations declared that, in the opinion of their Governments, the status of women was so essentially a matter of domestic jurisdiction that it ought not to be considered as falling within the field of action of the League at all. Other delegations felt that, at the present stage, legislative progress may be co-ordinated as the result of League action.

The Canadian Delegate, Senator Dandurand, said that the Canadian Federal Government granted women, within those spheres which fell within its jurisdiction, the rights and privileges enabling them to take their share in political life. Women had the right to vote and were eligible for election. There were two women members in the House and two women representatives in the Senate. The Federal Parliament had incorporated in its legislation the provisions of the Hague Nationality Convention. Canadian constitutional law reserved to the provinces civil law, municipal law, provincial electoral law, and the regulations governing admission to the professions. Accordingly the Canadian Government was not in a legal position to express an opinion on the general application of the principle of equality with respect to the status of women.

It was finally decided to submit to the Assembly a draft resolution providing for a comprehensive and scientific inquiry into "the legal status enjoyed by women in the various countries of the world as the result of the provisions of national law and the application of those provisions." This inquiry will be under the control of a Committee of Experts of both sexes appointed by the Council.

On the completion of the proposed inquiry, the League will be in possession of an objective picture of the actual legal position of women. The publication of such a comprehensive survey should be of assistance to Governments and to all organizations and persons interested in the problem. The First Committee expressed the hope that the study could be completed in three years. On its completion, the Assembly will be absolutely free to consider taking further steps in the matter.

Two aspects of the status of women are excluded from the scope of the contemplated survey, namely, matters which the Assembly has already formally recognized as belonging to the competence of the International Labour Organization, and questions of nationality, on which the Assembly has already taken decisions which the Committee considers it should maintain. It is not, however, intended that the survey should not contain such general information regarding the nationality of women as may be necessary to complete the picture which it is intended to give.

#### *Unification of Private Law*

At the joint request of the delegations of the United Kingdom, Roumania, and Switzerland, the First Committee prepared for adoption by the Assembly a report on the work of the International Institute for the Unification of Private Law, which has its headquarters at Rome, showing the collaboration between the Institute and the organs of the League in such matters as the law on the civil liability of motorists, on international loans, assistance to indigent foreigners, the enforcement of maintenance obligations abroad and intellectual rights.

#### *Contributions of certain former States Members*

By a letter of 23rd September, the Fourth Committee submitted to the First Committee a number of questions relating to the position with regard to the contributions of three States which have withdrawn from membership of the League of Nations, namely, Honduras, Nicaragua, and Paraguay.

The problem was whether the withdrawal of a State Member of the League could become effective, on the expiry of the two years' notice mentioned in Article 1, of the Covenant in two cases (Honduras and Nicaragua) in which an arrangement had been concluded whereby the amount of the contributions in arrears was to be reduced and payments become due after the expiry of the notice of withdrawal, and in a third case, in which the State concerned (Paraguay) had not paid all its contributions to the League and had not concluded an arrangement for the consolidation of its arrears.

It was decided that Honduras could be permitted to continue to pay instalments on consolidated contributions for seventeen years after leaving the League. It was further decided, in the case of Nicaragua, that the Assembly could grant a reduction of debt to a State which has given notice of withdrawal. The withdrawal of such a State can become effective at the end of the period of two years, although it has not then paid off its debt in full. It was not found practicable to reach a definite conclusion with respect to Paraguay for the present.

## SECOND COMMITTEE

(Economic and Financial, Communications and Transit and Health Questions)

On the proposal of the French delegation the Honourable James L. Ilsley was elected Vice-Chairman.

The Second Committee had before it a number of documents and reports relating to economic and financial questions, including certain sections of the report of the Secretary-General on the work of the League during the past year, the Economic Survey for 1935-36, the reports of the Economic and Financial Committees, the Committee of Experts for the Study of the Problem of Raw Materials and some sections of the report of the Mixed Committee on Nutrition.

A large number of delegates took part in the extended discussion which ensued, the general tone of which may be said, on the whole, to have reflected the improvement in trade and economic conditions which has taken place since the last Assembly. Several speakers however, expressed regret that this improvement had not been more general and that the improvement in international trade had lagged behind domestic trade and production. The influence of the report of the Mixed Committee on Nutrition was evident, a number of delegates referring to the problem of raising the standard of living and expressing the opinion that any measures to this end would be reflected in a concomitant improvement in economic conditions and trade. References were made to the resolution of the Seventeenth Assembly made after the Tripartite Declaration of France, the United Kingdom and the United States of America during the sittings of the Assembly in September 1936. It was felt that although there was evidence that many Governments had been trying to put into practice the policy expressed in that resolution, of "determined and continuous action to re-establish world trade and to promote a state of economic relations generally, with a view to promoting the growth of prosperity and the improvement of the standard of living" it was still far from being fully or generally applied.

During the same debate a number of speakers referred to the report of the Committee for the Study of the Problem of Raw Materials. It was noted that, except for certain minor impediments of an ephemeral or inconsequential nature, no problem of commercial accessibility to raw materials existed as such, that difficulties in the way of certain countries securing raw materials were entirely difficulties of payment. The Second Committee recommended that the Economic and Financial Committees should study the report and the recommendations therein contained with a view to recommending to the Council at a later date specific measures to implement the recommendations of the Committee.



The continuation of the work of the Financial and Economic Committees looking towards the betterment of world trade conditions was also recommended and the Committee expressed the opinion that in dealing with this question and others of a similar nature in which the financial and economic aspects were closely linked, the two Committees should continue a close collaboration. The suggestion was made by the Australian delegation that an expert should be specially appointed to take charge of such work and to co-ordinate all the activities of the Committees and the Secretariat along this line but it was decided eventually by the Committee that, rather than make such a specific recommendation, the question of means of achieving the desired co-ordination should be left in the hands of the Council.

### *Exchange Controls and Clearings*

The reports before the Second Committee gave little evidence of a general freeing of the currencies from exchange controls and raising of the restrictions on foreign payments which had been hoped for by the Seventeenth Assembly. Indeed the Committee noted as many examples of further restrictions as there were of removal. The only favourable sign was the conclusion of various bilateral clearing agreements, which at least help to settle some old debts and to promote what is, in many cases, virtually a barter trade. Such bilateral agreements received only the qualified approval of the Committee as it was felt by many of the delegates that they inevitably result in the creation of artificial trade between countries and that their contribution to the betterment of world trade conditions generally must be regarded as doubtful.

### *Nutrition*

The Second Committee also reviewed the work done in the field of nutrition by the League organization and in particular the report of the Mixed Committee on the Problem of Nutrition. This report has been completed after two years' intensive work by the Mixed Commission, the technical organizations of the League and a number of international organizations and individual experts. It is a comprehensive study as the title, "The Relation of Nutrition to Health, Agriculture and Economic Policy," indicates.

The Second Committee decided to recommend to the Assembly that the attention of all Governments should be called to this report and expressed the hope that Governments would afford it the greatest possible publicity. It also expressed the hope that Governments which have not already set up national committees on nutrition will give consideration to doing so.

With a view to maintaining interest in this important subject, the Committee also recommended that the Council should arrange for annual meetings of representatives of national nutrition committees and suggested that Governments should furnish to the League annual reports on the action taken by them in the field of national nutrition. It was further recommended by the Committee that the Secretariat of the League should publish an annual summary of the information received from Governments and of the proceedings of the proposed annual meetings of representatives of national committees, and that the work of the technical organizations on the subject of nutrition should be continued.

### *Urban and Rural Housing*

The Second Committee held an extended discussion on the subject of housing and related questions, such as urban and rural planning, national planning, public works, communications, slum clearance, sanitary measures, etc. Some time was also taken for discussion of the methods of financing such activities by Government and local authorities. It was noted that an increasing number of countries have realized the necessity of adopting a housing policy which will take into account the many factors involved.

The scope of the work already undertaken by the League and the International Labour Organization to assist co-operation among Governments has comprised a program of studies by the Health Organization and by the Economic and Financial Organization, the former having chiefly to do with standards of hygiene for various climates and regions, and the latter in relation to the cyclical character of building activity. The Communications and Transit Organization has also been studying the question of standards in construction, and has made a general survey of national public works. All of this work will be co-ordinated by the forthcoming International Public Works Commission set up under the auspices of the International Labour Organization. Further studies are contemplated.

The Committee noted with approval the progress made in this work and recommended the following plan of studies to supplement those already completed or in progress:

1. An international study of the methods employed in various countries for improving housing conditions, with special reference to the cost involved and results obtained, granted the objects in view;
2. A study of the relationship between the activity of the building industry and general economic activity;
3. Studies with a view to making recommendations concerning statistical methodology:
  - (a) Of methods for estimating the future housing needs;
  - (b) Of methods employed in collecting the statistics relating to actual housing accommodation;
  - (c) Of methods employed in compiling building statistics;
  - (d) Of methods employed in the statistics of building costs, prices, etc.

The following questions should, in the opinion of the Committee, be studied by the Economic and Financial Organization in collaboration with the International Labour Office:

1. National and international methods to be employed for raising the standard of living.
2. Measures to avert economic depressions or lessen their severity.
3. Improvements in agricultural credit systems.
4. Tendencies likely to affect monetary systems.
5. The growth of the indebtedness of States, local authorities and public undertakings.
6. The suppression of fiscal evasion.

### *Health Work*

The Second Committee reviewed the year's work of the Health Committee and of the Health Section of the League. The time available did not permit a full discussion of all the various health activities of the League. Those who spoke in committee on the report of the Health Committee devoted themselves chiefly to one or another of the important aspects. In this way the work of the Health Committee, in collaboration with other agencies of the League, on such questions as rural and urban housing, nutrition and narcotics was rapidly reviewed.

It noted with satisfaction the increasing number of countries which have set up national health committees to advise and assist Government and local Government agencies and private organizations interested in public health and to collaborate with the Health Organization of the League. The hope was expressed that this tendency will continue.

The Second Committee approved the proposal of the Health Committee to proceed with a study of the question of physical fitness. This study will proceed along the lines adopted in the study of the problem of nutrition, to which it is closely related. Experts from a number of countries will be asked to co-operate.

The Second Committee also noted the report of the Inter-governmental Conference on Rural Hygiene which had just met in Java and recommended to the Council that it should be brought to the attention of Governments. Satisfaction was expressed that a similar Conference of American countries will be held in Mexico City during the coming year.

The Committee reviewed briefly the technical work of the Health Organization, including the progress made in biological standardization and the unification of pharmacopoeias and took note of the work done in the Far East, particularly by the Eastern Bureau at Singapore and the Epidemiological Intelligence Service, and that as part of the League's technical collaboration with China, in combatting disease and epidemics and generally improving sanitation and hygiene.

For the future, the Committee urged the energetic prosecution of the work already in hand relating to maternal welfare, which was undertaken as a result of a decision of the Seventeenth Assembly.

Two other decisions taken and approved by the Assembly were the calling of a European Conference on Rural Life in 1939 and the extension to the Near East of the service combatting epidemic and other widespread diseases.

#### *Communications and Transit*

Before taking up the study of the work of the Communications and Transit Section and of the Advisory and Technical Committee, the Second Committee reviewed the situation as regards the constitution of the Communications and Transit Organization, which is in process of being reformed to bring it into conformity with the rules governing League Committees adopted in 1936.

Consideration was then given to the work in progress in the section, particularly that on the relation of road, rail and inland water transport. Information is now being received from Governments and a report on the problems arising from the competition of these three forms of transport and on the possibilities of co-ordinating them is hoped for before the next Assembly.

Mention has already been made of the work of the Communications and Transit Organization on the question of national public works, particularly as a means of dealing with unemployment. The Second Committee noted with approval that this study was being continued in collaboration with the International Labour Office. Note was also taken of the technical work done in collaboration with a large number of international organizations such as the International Hydraulic Conference and the International Commission for Air Navigation and a large number of others.

The Committee had some discussion of the Draft Convention regarding the Pollution of the Sea by Oil. Certain difficulties which still remain to be settled were commented upon and the hope was expressed that general agreement among Governments might soon be obtained.

The opinion of the Communications and Transit Committee endorsed by the Council that the present time was not suitable for pressing forward with the work of calendar reform and the fixing of movable feasts was noted and the decision of the Council to remove this question from the agenda met with the approval of delegates who, however, expressed regret that this was necessary, in view of the undeniable economic and social advantages which would accrue from calendar reform.

In conclusion the Committee reviewed the work of the League Wireless Station for the year, and that part of the technical collaboration with China in the hands of the Communications and Transit Organization, especially questions of the improvement of transport and the education and training of native engineers for China.



### THIRD COMMITTEE

#### (Disarmament Questions)

The Third Committee held two meetings at which it reviewed the work done during the year on the subject of the reduction and limitation of armaments.

The Committee agreed with the opinion expressed by the Bureau of the Disarmament Conference at its meeting on May 31, 1937 that the general political and economic situation is not at present such as to ensure the success of a resumption of the work on all the questions forming part of the Conference's program. It noted, however, that the Bureau considered, none the less, that among the drafts framed by the Conference the one concerning publicity for national defence expenditure and the working of an organ of supervision and co-ordination would, under certain conditions, be a suitable subject at the present stage for an agreement which would represent a first step. Accordingly, the Committee proposed that the Assembly should recommend the conclusion of an international convention on these two subjects.

As regards the problem of the national supervision of the manufacture of and trade in arms, the enquiry entrusted to the Secretariat by the Bureau is still in progress. The Third Committee proposed that the Assembly recommend to the Members of the League, each in so far as it is concerned and to the extent that this has not already been done, to examine the possibility of adopting internal measures with a view to the effective supervision of the manufacture of and trade in arms, ammunition and implements of war, on the basis of the work done by the Special Committee of the Disarmament Conference.

The Third Committee also noted with satisfaction the communications by the United Kingdom delegation regarding action recently taken by that country in the field of publicity for naval armaments and in particular the entry into force of the London Naval Treaty of 1936 and the conclusion of the Anglo-German and Anglo-Soviet Agreements.

The delegation of Finland emphasized the desirability of doing everything possible to expedite the entry into force of the 1930 Convention on Financial Assistance and particularly of considering the possibility, by an amendment of Article 35 of the Convention, of enabling its entry into force to be independent of that of a general Disarmament Convention.

### FOURTH COMMITTEE

#### (Budgetary and Administrative Questions)

##### *Closed Accounts for 1936*

After taking cognizance of the report submitted to it by the Auditor, and of various observations on the accounts by the Chairman of the Supervisory Commission, the Fourth Committee decided to recommend to the Assembly the adoption of the accounts for 1936 of the Secretariat, the International Labour Organization and the Permanent Court of International Justice in the form in which they were submitted.

The most striking change in these accounts as compared with the situation prior to 1936 was found to be the effect of the devaluation of the Swiss franc. Owing to this devaluation the expenditures of the League and the obligations of the States Members in terms of gold francs have been considerably reduced. For a number of States, including Canada, this means a reduction of contributions in terms of their own currencies.

A second satisfactory factor noted by the Committee was the surplus of 5,592,101 gold francs for the year 1936, arising from administrative savings, profit on contributions paid after the devaluation of the Swiss franc and in improvement in the collection of contributions. This amount of its budget received by the League for the year 1936 was over 102 per cent. This included the amount received by way of contributions in arrears.

The Commission decided to propose to the Assembly to allocate the available surplus as follows:—

Refund to Members of the League.....	1,875,394·37	gold francs
New Wings to the International Labour Office....	27,491·72	Swiss francs
Renovation account .....	1,000,000·00	" "
Estate account .....	3,000,000·00	" "
Guarantee Fund .....	250,000·00	" "
Reserve Fund .....	977,241·29	" "

### *Financial Situation of the League*

The financial position of the League was examined by the Fourth Committee and satisfaction was expressed that it was found to be sound, the reserves intact, the accounts balanced and the estimates for the coming year more or less the same as the preceding ones.

### *Expenditure Budget for 1938*

As passed by the Fourth Committee, the Expenditure Budget for 1938 totalled 32,273,251 Swiss francs. This sum was divided as follows:—

	Swiss francs
Secretariat .....	15,929,331
International Labour Organization .....	8,335,272
Permanent Court of International Justice.....	2,894,516
Permanent Central Opium Board.....	124,064
Nansen International Office for Refugees.....	207,109
Buildings at Geneva.....	1,584,000
Pensions .....	1,713,791
Settlement of the Assyrians of Iraq.....	300,000
High Commissioner for Refugees coming from Germany.....	73,168
Fund at the disposal of the Supervisory Commission for Expenditure resulting from Currency Depreciation.....	1,040,000
High Commissioner of the League at Danzig.....	72,000
<b>Total .....</b>	<b>32,273,251</b>

Owing, no doubt, to the stabilization of the expenditure budget of the main organizations at figures which are approximately the same as those for 1937, the discussion of the ordinary credits this year was less exhaustive than usual.

The question of refunding the reduction in salaries of officials made by the 1932 Assembly was postponed until next year by a majority vote which revealed a strong difference of opinion among the delegates, some being of the opinion that these salaries were not high enough to attract desirable candidates to the League service, others that they were more than adequate. This difference of opinion seemed largely a result of comparisons being made by each delegate with salaries in his own country. The Secretary-General, the Director of the Labour Office and the representative of the Supervisory Commission, however, were of the opinion that the salary scale was inadequate to attract first-rate personnel particularly from overseas countries, now that the depreciation of the Swiss franc has been added to the 10 per cent cut.

The International Labour Office has recently been forced to make large expenditures as a result of more frequent consultations and conferences and an increase in the size of conferences. Further, additional and new inquiries have been undertaken into a number of technical questions requiring the assistance of experts. The Organization has, however, taken its share in the large reduction of the burden of States Members, the unit proposed for 1938 in the draft budget being 6,328 gold francs as against 7,196 in 1936. This decrease is of course

particularly due to the contributions of three States non-Members of the League who are members of the International Labour Organization as well as to the devaluation of the Swiss franc.

The Fourth Committee granted all the requests for supplementary credits made by the various Assembly Committees but one, namely the one for the publication of a League of Nations Review of Social Questions. The Fourth Committee decided to wait until the next Assembly before reaching any decision on the credit requested for that publication.

The request for funds in order to assist the Chinese authorities in the immediate organization of anti-epidemic measures had been made by the Council at its meeting on 1st October.

### *Contributions*

In submitting the estimates, the Secretary-General observed that the gradual decrease in contributions, or, at all events, their maintenance at as stable a level as possible, constituted a feature of the present financial policy of the League. As an illustration he submitted the following table, which shows that the unit of contribution has steadily declined since 1934:—

	Gold francs
1934.. . . . .	30,432
1935.. . . . .	30,294
1936.. . . . .	28,777
1937.. . . . .	23,060
1938 (on the basis of the draft budget).. . . . .	22,450

The marked decrease, as from 1937, is, of course, due to the devaluation of the Swiss franc.

Canada is responsible for 35 of the units into which the League budget is divided for the purposes of contribution, and on that basis her contribution for 1938 will amount to 780,114·2 gold francs present value.

The present scale for the allocation of expenses will cease to be in force on December 31, 1939. In these circumstances, the next Assembly should reconstitute a body to consider the question anew in 1939. Considering that it would be desirable to begin the preliminary consultations forthwith, the Fourth Committee decided to request the Secretary-General to ask the Governments to communicate to him any suggestions calculated to help the 1938 Assembly, and such bodies as that Assembly may set up, to determine the future scale. The principal data hitherto taken into account comprise the population, production, trade and banks, transport and budgets of States.

## FIFTH COMMITTEE

### (Humanitarian and Social Questions)

#### *Social Questions*

The Fifth Committee adopted this year the procedure followed by the new Advisory Committee on Social Questions and presented a single report to the Assembly covering the organization and methods of work of the Advisory Committee, Child Welfare and Traffic in Women and Children. As a basis for discussion the Committee had before them a note by the Rapporteur with reference to those subjects which had been dealt with by the Advisory Committee during the year. These included: The question of the *Training of Social Workers*, a problem to which the Advisory Committee has given a great deal of attention as it has been found in most countries that while there are many who are willing to assist in social and welfare work, there are few who have the background necessary for the most efficient service; the question of the *Publication of a Bulletin* to give up-to-date information on the work of the Advisory Committee; the creation of a special League of Nations Bureau in the Far East;



(this had been requested by the Conference at Bandoeng); *the strengthening of relations between the Committee on Social Questions, the International Labour Office, the Health Committee and the International Cinematograph Institute.*

### *Training of Social Workers*

The representative of Sweden gave a summary of experience in that country where it had been found that it was essential that all amateur methods should be avoided and more and more social workers were being trained in the universities. The main institute for this purpose was attached to a university and in seventeen years it had more than justified its existence. Following a discussion the Committee approved of the decision of the Advisory Committee to place on its agenda the Question of the training of people engaged in social work.

Other subjects mentioned for study by various delegates included holiday camps, youth hostels and the question of family desertion.

Speaking on the development of the Social Work of the League, the Canadian Delegate, Mr. Riddell, said as a member of the Committee appointed by the League Council to look into the work of the various League Committees with a view to reorganization, he had been specially interested in the reform of the Advisory Committee. The number of members had been increased, and they might expect that the places which were still vacant would soon be occupied by experts from countries having a special interest in social questions. The readjustment had meant a greater degree of unity in the Committee and that was a guarantee of increased activity. Its program, too, had been unified. No one could fail to be favourably impressed, he thought, by a mere enumeration of the various questions with which the Committee was to deal. He regretted, however, that no proposal had been brought forward for adding to the strength of the Social Section. Obviously, it was on the personnel of that Section that the success of the Advisory Committee finally depended.

### *Child Welfare*

The Committee noted the complete summary prepared by the Information Centre of the reports of the different Governments on child welfare. In this connection the Committee noted that the activities of the Secretariat as an Information Centre for matters connected with child welfare had been greatly developed and that the Centre was now beginning to fulfil the purposes assigned to it by the Assembly. The Committee also noted with satisfaction that the Advisory Committee, acting on the suggestion of the Seventeenth Assembly, had decided to adopt as one of its first subjects of study the administration and organization of welfare work among the young.

The Committee took cognizance of the study completed this year on neglected and delinquent children, and expressed the hope that the information obtained should receive the fullest publicity. The work done on the question of the cinema and young people and on the question of special films for children and young people was reviewed but it was decided to discuss it at the Nineteenth Assembly on the basis of a fully documented report which it is expected the Advisory Committee will have completed by that time. A further study which the Fifth Committee hope may be completed and ready for discussion in 1938 is that on the placing of children in homes. The Advisory Committee have had this in hand for some time. The decision of the Advisory Committee to proceed with a study of the illegitimate child also met with approval.

### *Prostitution*

A number of delegates noted with approval the tendency to pass from regulation to suppression in dealing with this problem and in this connection reference was made to the draft convention for the suppression of the exploitation

of prostitution now before Governments. Satisfaction was also expressed at the progress in legislation and the receipt of further ratifications of the relevant conventions.

The last in the series of conventions, that for the suppression of the exploitation of prostitution, now in draft form, was discussed by the Committee. This convention is based on abolitionist principles, which are not in conformity with the regulationist system in certain countries. It is hoped to be able to secure the adhesion of regulationist countries to this convention by permitting a declaration at time of signature that the signatory accepts the convention in principle and will endeavour to amend its legislation in conformity within the next few years.

### *Reports by Governments*

The Committee found unsatisfactory the position as regards reports by Governments on Traffic in Women and Children and on Obscene Publications, and noted that in spite of previous appeals only fourteen Member States and two non-Member had submitted reports for 1935-36.

The Committee also noted that the inquiry into measures of rehabilitation of prostitutes is nearing its final stage and that the sections on the antecedents of prostitutes and of the part played by social institutions in the treatment of venereal disease will be issued soon.

In conclusion the Committee reviewed the work of the Conference of Central Authorities in Eastern Countries which was held in Bandoeng in February, 1937, under the auspices of the League of Nations, in particular the Conference's proposal for the establishment of a Far Eastern Bureau as a centre on information on the traffic in women and children in the Far East and as a centre for co-ordinating the repressive work of the authorities. The Committee expressed itself unanimously in favour of the creation of such a Bureau.

The Committee agreed with the suggestion of the Advisory Committee that the Social Questions Section should periodically issue a review of the work of the League in the social field, and suggested that an appropriate title for such a review might be "The League of Nations Review of Social Questions"

### *Assistance to Indigent Foreigners*

The Committee took note of the present position as regards the second draft multilateral convention relating to assistance for indigent foreigners, and noted the decision of the 98th Session of the Council to refer the draft and the observations from Governments upon it to an expert committee for further study. Hope was expressed that the work would be done as soon as possible and that the conclusion of a convention might be expedited.

### *Traffic in Opium and Other Dangerous Drugs*

The Committee considered under this heading questions relating to the conventions on this subject and then turned to a study of the situation in the Far East and the question of preparatory work for a conference to consider the possibility of limiting and controlling the cultivation of the opium poppy and the production of raw opium. A number of delegates spoke on these subjects and on the Far Eastern situation, among them the Canadian representative, Mr. Riddell, who said that his country, with ports on the Atlantic and the Pacific coasts, found it necessary to exercise constant vigilance against the entry of narcotic drugs. The Narcotic Division of the Department of National Health of Canada had in recent years secured important convictions, striking more particularly at ringleaders of gangs, and heavy sentences had been imposed.

The most important problem now, as for some years past, arose from the situation in the Far East. That situation had never been worse. Recently an important conspiracy had been detected for the shipment of large quantities of

morphine into Vancouver. The importations were effected by the crews of Japanese ships. Information had been sent to the Japanese Government and the Japanese authorities had taken action. He would point out, however, that, whereas in Canada sentences had been imposed on the offenders of up to seven years' imprisonment, the corresponding sentences in Japan had not exceeded two months' imprisonment. Such sentences could not be considered adequate.

The Canadian Government was convinced of the necessity of limiting the production of raw materials. These materials, if produced in excess, inevitably found their way into illicit traffic. He need hardly assure the Committee that the Canadian Government would co-operate wholeheartedly in any efforts which might be made with a view to increasing existing safeguards in this field.

With regard to the proposed convention the Committee noted that the preparatory work would be done by the Advisory Committee, sitting as a special committee for this purpose, and that it might call in representatives of producing countries not already on the Committee and any other experts whose presence might be deemed useful.

The Committee noted that the situation in the Far East had been aggravated in those parts of China under Japanese domination. The Chinese representative charged that the exportation of, and the illicit traffic in, narcotics was a deliberate policy of the Japanese Government.

### *Penal and Penitentiary Questions*

The Committee reviewed this phase of its work under five heads: (1) Treatment of Prisoners. (2) Enquiry into the number of prisoners. (3) Collaboration with technical organizations. (4) Treatment of witnesses and persons awaiting trial. (5) Position of aliens released from prison.

The League Secretariat now has information relating to the treatment of prisoners received from some forty Governments and relating to the application of the standard minimum rules drawn up by the International Penal and Penitentiary Commission. The Committee expressed satisfaction at the progress in the adoption of these rules by Governments and the hope that it would continue. With regard to the enquiry into the number of prisoners which has been undertaken by the International Penal and Penitentiary Commission in response to the request of the Seventeenth Assembly, the Committee noted that the work was well in hand, and called upon Governments which had not yet done so to supply the necessary information to the Commission as soon as possible.

The Committee then reviewed the reports on the work of the year submitted by the following organizations which collaborate closely with the League in this field:

- The International Penal Law Association;
- The International Bureau for the Unification of Penal Law;
- The International Penal and Penitentiary Commission;
- The International Criminal Police Commission;
- The Howard League for Penal Reform.

The Committee's attention was drawn by a number of delegates to the question of the treatment of witnesses and persons awaiting trial and decided upon a full discussion of the subject at a future meeting. The Committee therefore asked the Assembly to instruct the Secretary General to collect the advice and suggestions of the seven international organizations which collaborate in this work (the five mentioned above together with the International Law Association and the International Penal Law Union) as to measures which might be taken for the protection of witnesses and persons awaiting trial against the use of violence or any other forms of physical or mental constraint.



The attention of the Committee was drawn to the position of aliens released from prison, which is frequently such that they are unable legally to secure work in the country and are driven to further crime, or, if as usual in some countries they are deported at the expiration of their sentence, they may find themselves without legal status and unable honestly to earn a living. The Committee observed that this was a question which could only be dealt with by international action and decided to ask the Seventh International Conference for the Unification of Penal Law, which will meet in Cairo in January, 1938, to inscribe this question on its agenda and to ask the Secretary General to report to the Nineteenth Assembly on the results obtained.

### *International Relief Union*

The Committee had before it the report of the International Relief Union on the work of the past year, noted the progress made in this work and expressed the hope that it might be extended still further by the accession of other Governments to the Union.

## SIXTH COMMITTEE

### (Political Questions)

The Sixth Committee held eleven meetings at which it discussed the problems arising from the situation in Spain, the questions of mandates, international assistance to refugees, intellectual co-operation and means of spreading information at the League's disposal. The question of minorities which took such an important place in past Sessions of the Committee did not appear this year on its agenda.

### *Situation in Spain*

The Committee devoted two meetings to the consideration of the proposals formulated by the Prime Minister of Spain on 20th September (See page 6 *supra*).

The arguments in favour of the adoption of these proposals were put forward by the Spanish Foreign Minister, M. Alvarez del Vayo. The speaker referred to the Spanish Government's note of 15th September, 1936, to the Powers signatory to the Non-Intervention Agreement and the Special Supplement No. 165 of the Official Journal of the League of Nations, which reproduces the substance of official documents which had belonged to Italian units operating on the front of Guadalajara, as constituting a complete evidence of the aggression of Germany and Italy against a State Member of the League of Nations. He concluded that, faced with the irrefutable fact of aggression, the least that the Assembly could do was to recognize that fact and to put an end to a situation in which the aggressor was given every facility for consummating his crime, whereas obstacles of all kinds were piled up against the legitimate defence. Once the so-called non-intervention policy had failed, it was urgent to proclaim that Members of the League were bound in their relations with the Spanish Government to allow them to buy the arms they required.

The debate which followed showed that the Committee was divided, some delegations maintaining that the non-intervention policy still retained its value and others that the League's duty was to take positive action on behalf of Spain. It was finally decided to set up a drafting Committee to prepare a resolution which would take into account the desires of Spain, the speeches that had been delivered and the situation as a whole.

The drafting Committee submitted a resolution which represented a compromise between the various points of view. It read as follows:

## The Assembly:

(1) Associates itself with the Council in recalling that it is the duty of every State to respect the territorial integrity and political independence of other States—a duty which, for Members of the League of Nations, has been recognized by the Covenant;

(2) Affirms that every State is under an obligation to refrain from intervening in the internal affairs of another State;

(3) Recalls the special undertakings entered into by the European Governments, and the London Non-Intervention Committee which, in the intention of the countries to whose initiative it owes its origin, was set up for the purpose of restricting the Spanish conflict and thereby safeguarding peace in the rest of the world;

(4) Regrets that not merely has the London Non-Intervention Committee failed, despite the efforts of the majority of its Members, of which the Assembly expresses its appreciation, to secure the withdrawal of non-Spanish combatants taking part in the struggle in Spain, but that it must to-day be recognized that there are veritable foreign army corps on Spanish soil, which represents foreign intervention in Spanish affairs;

(5) Observes that the Council in its resolution of May 29 last justly described this withdrawal as "the most effective remedy for a situation, the great gravity of which, from the standpoint of the general peace, it feels bound to emphasize, and the most certain means of ensuring the full application of the policy of non-intervention";

(6) Sincerely trusts that the diplomatic action recently initiated by certain Powers will be successful in securing the immediate and complete withdrawal of the non-Spanish combatants taking part in the struggle in Spain;

(7) Appeals to the Governments, which must all be animated by the desire to see peace maintained in Europe, to undertake a new and earnest effort in this direction;

And notes that, if such a result cannot be obtained in the near future, the Members of the League which are parties to the non-intervention agreement will consider ending the policy of non-intervention;

(8) Requests the Council, in view of the provisions of Article 11 of the Covenant of the League, to follow attentively the development of the situation in Spain and to seize any opportunity that may arise for seeking a basis for a pacific solution of the conflict.

In the Sixth Committee, Mr. de Valera (Irish Free State) proposed that the passage of the resolution suggesting that, failing the withdrawal of non-Spanish combatants, "the Members of the League which were parties to the Non-Intervention Agreement would consider ending the policy of non-intervention," should be deleted or at least amended by a statement that, if such a result were not obtained, the Non-Intervention Agreement should come up for review. The policy of the Irish Government was one of non-intervention, and they proposed to continue that policy which they regarded as the best course in their own interest and that of Spain.

M. de Velies (Hungary) suggested re-drafting the paragraph referring to the presence of foreign troops in Spain to read: "It must to-day be recognized that there are veritable foreign armed *units* on Spanish soil on *both sides*."

The representatives of France, the United Kingdom and the Soviet Union appealed to the Committee to adopt the draft as it stood.

On being put to a vote, the draft resolution was adopted without opposition, the delegates of the Union of South Africa, Austria, Bulgaria, Hungary and Portugal abstaining.

### *Mandates*

The Committee took note of the work done by the Mandatory Powers, the Permanent Mandates Commission and the Council in applying the principles laid down in Article 23 of the Covenant and in the texts of the mandates. It paid a tribute to the results they had achieved thanks to their close co-operation.

Most of the delegations which took part in the discussion laid particular stress on the importance and the complexity of the Palestine problem at present before the Council which is the competent authority to deal with the matter. Views of the highest interest were put forward, not only on the political, legal and humanitarian aspects of the Palestine question as such, but also on the problem of the situation of the Jewish population in several European countries. It was agreed that the studies at present being carried out by the competent authorities should in no way prejudice the settlement of the problem, and that opinions as to its substance remained reserved.

The Committee expressed its conviction that the problem of Palestine will be equitably settled, account being taken to the fullest possible extent of the views expressed in the Committee and of all the legitimate interests at stake.

### *Intellectual Co-operation*

The Sixth Committee noted with satisfaction that the work of the League and affiliated organizations in the field of intellectual co-operation showed continued development and progress. It was pointed out in the Committee, however, that better mutual understanding among the peoples of the world is the dominant aim of intellectual co-operation and that there are a great variety of promising ways of setting about the task, all of which should be exploited. While congratulating the League and the Institute of Intellectual Co-operation on the work done, a number of delegates expressed the hope that the program of work for the future might be steadily expanded.

The reports of the International Institute and of the Governing Body, which the Sixth Committee had before it were more numerous and varied than ever before. The year has been marked by a gathering during the "International Co-operation Month" at Paris of representatives of almost all the important institutions of the world which are associated in this work. The Sixth Committee is of the opinion that this had been a great success and should be repeated from time to time.

Thanks largely to a subsidy from the Rockefeller Foundation it will be possible to continue a number of international studies of which the most important, which will be in progress during the next two years, is that concerned with Economic Policies in Relation to World Peace.

The Committee also discussed the question of the future organization and financial support of the work of Intellectual Co-operation. The general feeling seemed to be that Governments should be urged to set up and encourage National Committees and to contribute to the support of the International Organization. Eighteen Governments have already contributed or expressed their willingness to do so.

The draft resolutions submitted to the Assembly by the Sixth Committee embodied the views referred to above.

The Committee also discussed the status of the Declaration Concerning the Teaching of History embodied in the resolution of the Seventeenth Assembly of 10th October, 1936. Noting that a number of Governments had expressed themselves, in principle, prepared to abide by the terms of the Declaration, it decided that additional clauses should be added to the Declaration to enable it to be signed by Governments and registered by the League, after the manner of a Treaty or Convention.



Attention was also given to the question of the rules and practice governing archaeological excavations, and the Assembly was asked by the Sixth Committee to instruct the Secretary-General to transmit to Governments the rules drawn up by the International Excavations Conference.

Attention was also devoted to the work for an ethnographical and historical collection on the origins of American Civilization and gratitude expressed to the Governments whose financial contributions have made it possible.

### *Means of Spreading Information in the Cause of Peace*

Also in connection with the review of the work of Intellectual Co-operation, the Sixth Committee discussed the question of the Means of Spreading Information in the Cause of Peace which had been referred to the International Committee by the Seventeenth Assembly. As a result of this request the Sixth Committee this year had before it a number of recommendations relating to Cinematography and Broadcasting.

In connection with Cinematography, the Committee decided to make a number of recommendations to the Assembly relating to the circulation of educational films. It was felt that it would be desirable to have a study made of customs tariffs and other legislation affecting the importation of such films into the various countries. Arrangements will be made for this study. At the same time the Committee urges that Governments give every possible consideration to facilitating the entry of films of this class.

The further development of National Institutes of Educational Cinematography to co-operate with the International Institute was also discussed. The possibility of importing and developing educational films of a class especially designed to develop international understanding and assist the cause of peace was regarded by the Committee as especially worthy of study.

With regard to broadcasting the Committee noted that there were still a number of Governments which had not signed or ratified the Convention on the Use of Broadcasting in the Cause of Peace and recommended that these Governments be approached. The Committee then discussed various means by which broadcasting could be put to more effective use and agreed that some of the steps which might be taken at once would be the preparation of lists of persons in the various countries competent to give broadcasting talks in the languages of other countries and the development of a lending library of gramophone records of talks suitable for broadcasting.

### *Intellectual Rights*

Questions of patent and copyright come before the Sixth Committee every year as part of the work of Intellectual Co-operation. This year, again, the question of a universal agreement for the protection of intellectual rights was discussed. The Committee noted that the Pan-American Union had officially communicated to the Governments of the American Continents the texts of two draft World Conventions and that it was the intention of the Belgian Government to circulate to Governments a memorandum prepared in collaboration with the International Institute of Intellectual Co-operation. As a result of the discussion which ensued the Committee recommended to the Assembly that the International Institute of Intellectual Co-operation and the International Institute for the Unification of Private Law at Rome be invited to consider the observations which may be received from Governments and to formulate definite proposals for a World Conference. It expressed the hope that the Belgian Government would find it possible at an early date to convene two Conferences for the revision of the Berne Convention and the framing of a universal Convention.

### *International Assistance to Refugees*

The Sixth Committee had before it a number of documents relating to the work of Assistance to Refugees, including the reports of the Governing Body and the President of the Governing Body of the Nansen Office, the report of the High Commissioner on Refugees from Germany, a report on the observations of Governments on the liquidation of the Nansen Office and a proposal from the Norwegian Government that a decision in principle be taken as to the carrying on of the work of Assistance to Refugees after the liquidation of the Nansen Office.

With regard to the general question of refugees, the Sixth Committee made a number of recommendations to the Assembly, which included the suggestion that the Assembly should request Governments, in dealing with refugees, not to expel any who had not yet acquired permission to enter and stay in another country and in general to regularize the position of refugees against whom expulsion orders have been issued; further, not to apply instructions governing foreign labour to refugees and to take the necessary steps to facilitate the absorption of refugees into the economic life of the country. Other recommendations related to the agreements concerning Assistance to Refugees, the situation of Armenian refugees in Erivan, and of Russian refugees in Shanghai. These recommendations were embodied in resolutions which were adopted by the Assembly.

The Committee also discussed extensively the situation regarding German refugees and proposed that the Secretary-General should summon early in 1938 an inter-Governmental Conference for the adoption of an International Convention for the benefit of refugees coming from Germany. It further expressed the hope that such a Conference would be able to adopt a definition of refugees which will permit the extension of assistance to "stateless persons coming from Germany" under the agreement of 4th July, 1936.

With regard to the question of liquidation of the Nansen Office, the Committee found a sharp division of opinion among its members. The proposed draft resolution confirmed the previous decision instructing the President of the Governing Body of the Nansen Office to arrange for the effective and complete liquidation of the Office, and noted that the mandate of the High Commissioner for refugees coming from Germany would come to an end on 31st December, 1938, in accordance with the Assembly's previous decision. It decided, however, to continue without interruption for a specified period the work carried on up to the present under the auspices of the League for assistance to refugees, and further decided that the whole of the work of assistance to refugees should be re-examined at a later date to be fixed upon by the 1938 Assembly. In conclusion the resolution recommended that the Assembly should instruct the Secretary-General to draw up a detailed plan of action for the work of assistance to refugees after December, 1938, and to submit this scheme to Governments for their observations. This resolution passed in Committee by twenty-seven votes for, one against and one abstention, the contrary vote being that of the Union of Soviet Socialist Republics.

### APPROVAL OF THE REPORTS AND DRAFT RESOLUTIONS OF THE ASSEMBLY COMMITTEES

With the exception of the draft resolutions on refugees and Spain, all the Assembly Committees' reports and draft resolutions were approved in plenary session of the Assembly without discussion.

### *International Assistance to Refugees*

As regards the third draft resolution on refugees, which related to the continuance of the League's work in that field, the delegation which refused to support the resolution in the Sixth Committee intimated that it proposed to

vote again against it in the Assembly. Owing to the unanimity rule, this one vote was sufficient to prevent the resolution being given effect. Faced with this situation, four delegations—those of Belgium, Czechoslovakia, France and the Netherlands—proposed to the Assembly an alternative text referring the problem to the Council, with a view to its preparing a plan for international relief work for refugees on the basis of which the Assembly would be called upon to take a decision next year. On being put to a vote by roll-call, the text submitted by the four delegations was unanimously adopted, twenty-two delegations abstaining. The Canadian delegation voted in favour of the proposal.

### *Spain's Appeal*

In plenary session the draft resolution of the Sixth Committee on the situation in Spain was not adopted as the Albanian and Portuguese delegates voted against it thus destroying the required unanimity.

The vote was taken by roll-call. Four delegations, those of the Dominican Republic, Liberia, Luxemburg and Siam did not attend the meeting, so the number of voters was 48. There were 32 votes for the resolution, two against and 14 abstentions.

The following delegations voted for:

Afghanistan, Australia, Belgium, United Kingdom, CANADA, China, Colombia, Czechoslovakia, Denmark, Ecuador, Egypt, Estonia, Finland, France, Greece, Hayti, India, Iran, Iraq, Latvia, Lithuania, Mexico, Netherlands, New Zealand, Norway, Poland, Roumania, Spain, Sweden, Turkey, Union of Soviet Socialist Republics and Yugoslavia.

Those abstaining were:

Union of South Africa, Argentine Republic, Austria, Bolivia, Bulgaria, Chile, Cuba, Hungary, Irish Free State, Panama, Peru, Switzerland, Uruguay, Venezuela.

The final vote was the seventh successive vote of the Assembly by roll-call on the matter. First of all there were separate votes on the four amendments proposed by the Austrian and Hungarian delegations. These amendments were:

(1) In paragraph 4 to insert words "on both sides" before words "on Spanish soil."

(2) In same paragraph to replace words "armed corps" by words "armed forces."

(3) In paragraph 7 to replace words "the members" by "certain members."

(4) In same paragraph to replace words "will consider" by "might consider."

Each amendment was supported by Albania, Austria, and Hungary. Mr. Walter Elliott (United Kingdom) said he regretted the submission of the amendments, more particularly as they did not appear to the United Kingdom delegation to alter the substance of the resolution in any respect.

There were 32 votes against the first two amendments,—those of the delegations that voted for the resolution as a whole less Poland and plus Portugal— and 31 against the third and fourth amendments, on which Ecuador abstained.

Then, at the request of Hungary, the Assembly voted separately on paragraphs 4 and 7 of the resolution. Each of these paragraphs was adopted by 32 votes to 4, with 12 abstentions. The delegations voted in the same way as in the final vote on the whole resolution, except that Austria and Hungary voted against instead of abstaining.



## RESOLUTIONS ADOPTED ON THE REPORT OF THE SPECIAL COMMITTEE FOR THE APPLICATION OF THE PRINCIPLES OF THE COVENANT

On report of the Special Committee of Twenty-eight for the Application of the Principles of the Covenant on the Chilian and Argentinian proposals which had been referred to it for examination, the Assembly adopted two resolutions.

Following a proposal by the Chilian delegation in favour of universality, the Assembly requested the Council to examine the conditions under which the League should obtain the observations and suggestions of non-Member States and the States that have announced their withdrawal from the League.

On the initiative of the Argentine delegation, the Assembly declared that, in the event of war or a threat of war, the League of Nations while not delaying for that purpose its own action in virtue of the Covenant, shall take suitable steps and shall establish such contacts as may appear to be necessary to associate in its efforts for the maintenance of peace those States which are not Members of the League but are mutually bound by the Pact of Paris of 1928 and the Pact of Rio de Janeiro of 1933.

## RESOLUTIONS ADOPTED ON THE REPORT OF THE FAR-EAST ADVISORY COMMITTEE

On the proposal of the Far-East Advisory Committee, the Assembly adopted two resolutions and two reports dealing with the Sino-Japanese conflict.

By the first resolution, which it endorsed on 28th September, the Assembly taking into consideration the question of the aerial bombardment by Japanese aircraft of open towns in China, expressed its profound distress at the loss of life caused to innocent civilians, including great numbers of women and children, as a result of such bombardments, declared that no excuse could be made for such acts, which had aroused horror and indignation throughout the world, and solemnly condemned them.

By the second resolution, which it passed on 6th October, the Assembly adopted as its own two reports in which the Far-East Advisory Committee emphasized that the present Japanese invasion of China was an unjustifiable violation of her treaty obligations, and stated that it could not be admitted that the conflict could be settled only by direct methods between the Chinese and the Japanese Governments.

In conformity with these reports, the Assembly instructed its President to arrange without delay for a meeting of the Members of the League that are parties to the Nine-power Treaty of Washington concluded on 6th February, 1922. This treaty contains an undertaking to respect the sovereignty, the independence and the integrity of China. The hope was expressed that other States which have special interests in the Far East might take part in this meeting.

The Assembly further expressed its moral support of China, and recommended that Members of the League should refrain from taking any action which might have the effect of weakening China's powers of resistance, and should also consider how far they can individually extend aid to China.

### *Adjournment of the Session*

The Assembly finally decided to adjourn and not close its present Session. It authorized the President to summon a further meeting if the Advisory Committee so requested. The work of the Assembly being at an end, for the time being, the President declared the Session adjourned.

RAOUL DANDURAND  
JAS. L. ILSLEY  
VINCENT MASSEY  
W. A. RIDDELL









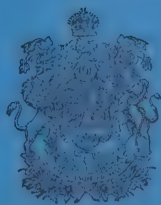


41 EA  
R21

REPORT  
OF THE  
CANADIAN DELEGATES  
TO THE  
NINETEENTH ASSEMBLY OF  
THE LEAGUE OF NATIONS

GENEVA

September 12th-30th, 1938



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1938





CITEA  
R51

REPORT  
OF THE  
CANADIAN DELEGATES  
TO THE  
NINETEENTH ASSEMBLY OF  
THE LEAGUE OF NATIONS

---

GENEVA

September 12th-30th, 1938



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1939

## TABLE OF CONTENTS

	PAGE
Organization of the Assembly.....	3
General Discussion on the Work of the League.....	5
Elections to the Council.....	7
Election of Judge of the Permanent Court.....	7
Commission of Enquiry for European Union.....	8
The Situation in Europe.....	8
First Committee	
Unification of Private Law.....	8
Date of Convocation of the Assembly.....	9
Status of Austria.....	9
Position of Aliens and Stateless Persons released from Prison.....	9
Second Committee	
Communications and Transit Organization.....	10
Exchange Control.....	10
Economic and Financial Organization.....	11
Economic Depressions.....	11
Demographic Questions.....	12
Social-Economic Problems.....	12
Third Committee	
Reduction and Limitation of Armaments.....	12
Protection of Civilians against Air Bombing.....	13
Fourth Committee	
Financial Situation and Budget for 1939.....	14
The Need of Economy.....	15
Contributions in Arrears.....	16
Revision of the Scale of Allocation of League Expenses.....	16
Membership of Supervisory Commission.....	16
Exceptional Measures.....	16
Fifth Committee	
Child Welfare.....	17
Traffic in Women and Children.....	18
Assistance to Indigent Foreigners.....	18
Position of Aliens and Stateless Persons Released from Prison.....	19
Sixth Committee	
Question of Re-interpreting the Covenant.....	19
International Assistance to Refugees.....	23
Mandates.....	24
Withdrawal of Non-Spanish Combatants from Spain.....	25
Situation in Spain.....	26
Seventh Committee	
Health Questions.....	27
Opium Traffic.....	27
Intellectual Co-operation.....	28
Modern Means of Spreading Information in the Cause of Peace.....	29
Housing.....	29
Nutrition.....	30
Adoption of Committee Reports.....	30
Signature of Protocol respecting Separation of Covenant from Peace Treaties.....	31
Adjournment of Session.....	31



# Report of the Canadian Delegates to the Nineteenth Ordinary Assembly of the League of Nations

---

OTTAWA, December 20, 1938.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned delegates, appointed to represent Canada at the Nineteenth Ordinary Session of the Assembly of the League of Nations, have the honour to report that the Assembly met at Geneva from the 12th to the 30th September, 1938. Forty-nine States Members of the League were represented. Ethiopia decided not to send a delegation on the ground that the Agenda did not include any questions directly affecting that country. The other States Members which did not nominate delegates were Chile, Italy, Salvador and Venezuela, all of which have already given notice of their withdrawal from the League.

The proceedings of the Assembly were opened by the President of the Council, Mr. William J. Jordan, delegate of New Zealand. In his speech, Mr. Jordan reviewed briefly the work of the League during the past year, remarking particularly upon the increased importance of the technical side of the League's activities with respect to economic, financial, health and social questions. He went on to pay a tribute to Mr. Harold Butler, who resigned in May last as Director of the International Labour Office, and promised the co-operation of Member States to Mr. Winant, his successor. Turning to the political situation, he pointed out that nations are committing offences which they covenanted to oppose and expressed the view that under present conditions the individual nation can no longer have security merely through self-exertion, any more than the individual householder can enjoy security through protection by his own walls and weapons. In closing he alluded to the immediate difficulties and uncertainties in Europe and invited the Assembly to work for peace and human brotherhood.

## ORGANIZATION OF THE ASSEMBLY

Mr. Eamon de Valera, Prime Minister of Ireland, was elected President of the Assembly. In taking the chair, he pointed out that the Assembly was meeting this year in a time of unparalleled anxiety for the peoples of the world and particularly for the peoples of Europe, and urged that the moral force of the League be made an instrument for the righting of international difficulties wherever they exist. Declaring that the settlements imposed by war are almost inevitably unjust, he made a strong plea for peace upon a basis of justice, which is possible before but scarcely ever possible after a war.

The ballot for Vice-Presidents resulted in the election of the first delegates of the United Kingdom, France, Sweden, Switzerland, Poland, Siam, Turkey and the Union of Soviet Socialist Republics.

The following Agenda, or list of subjects to be considered by the Assembly, was adopted:—

1. Appointment of Committees
2. Report of the Secretary-General on the work of the League since the last Session of the Assembly
3. Revision of the Covenant of the League of Nations
4. Reduction and Limitation of Armaments

5. International Treatment of Refugees
6. The League of Nations and modern means of spreading information in the cause of peace
7. Means of spreading information regarding the League
8. Unification of Private Law
9. Election of non-permanent Members of the Council
10. Election of a Judge to the Permanent Court of International Justice
11. Election of Members of the Organization for Communications and Transit
12. Appointments to the Supervisory Commission
13. Commission of Enquiry for European Union
14. Structure and Functions of the Economic and Financial Organization of the League of Nations
15. Budget of the League of Nations and Administrative Questions
16. Communications and Transit
17. Economic and Financial Questions
18. European Conference on Rural Life
19. Housing
20. Nutrition
21. Health Questions
22. Traffic in Opium and other Dangerous Drugs
23. Social Questions
24. Convention for suppressing Prostitution
25. Intellectual Co-operation
26. Amendment to the rule of procedure fixing the opening date of the Assembly
27. Mandates
28. Technical Collaboration between the League of Nations and China
29. International Relief Union
30. International Circulation of Films of an Educational Character
31. Present situation in Europe
32. Situation in Spain
33. Appointment of an international committee to supervise the withdrawal of non-Spanish combatants from Spain.

It was decided that the following items might be considered by the Assembly without prior reference to Committees:

Report on the work of the League since the last Session of the Assembly

Election of non-permanent Members of the Council

Election of a Judge to the Permanent Court of International Justice.

The following Committees, under the Chairmen named, were set up to deal with the other subjects coming before the Assembly:

*First Committee* (Constitutional and Legal Questions)

Mr. Pella (Roumania)

*Second Committee* (Economic, Financial and Transit Questions)

Mr. de Nickl (Hungary)

*Third Committee* (Limitation and Reduction of Armaments)

The Rt. Hon. Ernest Lapointe (Canada)

*Fourth Committee* (Budgetary and Administrative Questions)

Count Carton de Wiart (Belgium)

*Fifth Committee (Social Questions)*

Ali El Shamsy Pasha (Egypt)

*Sixth Committee (Political Questions)*

Mr. Olivera (Argentine Republic)

*Seventh Committee (Health, Opium, Intellectual Co-operation)*

Mr. Schmidt (Estonia).

The Canadian Delegation, which consisted of the Right Honourable Ernest Lapointe, Minister of Justice, and Mr. H. Hume Wrong, Permanent Delegate of Canada to the League of Nations, with Mr. Joseph T. Thorson, Member of Parliament for Selkirk, Mr. Paul Martin, Member of Parliament for Essex East, and Mrs. Nellie McClung of Victoria, B.C. as substitute delegates, and Mr. J. S. Macdonald, First Secretary, Department of External Affairs, Mr. P. E. Renaud and Mr. A. Rive, Second Secretaries, as technical advisers, was represented on the Committees as follows:—

*First Committee*

Mr. J. T. Thorson  
Mr. P. E. Renaud

*Second Committee*

Mr. Paul Martin  
Mr. H. H. Wrong

*Third Committee*

The Rt. Hon. E. Lapointe (Chair-  
man)  
Mr. J. S. Macdonald

*Fourth Committee*

Mr. H. H. Wrong  
Mr. P. E. Renaud

*Fifth Committee*

Mrs. N. McClung  
Mr. A. Rive

*Sixth Committee*

The Rt. Hon. E. Lapointe  
Mr. J. T. Thorson  
Mr. H. H. Wrong

*Seventh Committee*

Mr. Paul Martin  
Mrs. N. McClung

## GENERAL DISCUSSION ON THE WORK OF THE LEAGUE

The general discussion, which has formally for its subject the Secretary-General's report on the work of the League during the preceding year but which traditionally ranges over the whole field of international relations, centred this year on the question of the interpretation which should be given, under present conditions, to the Covenant and particularly to Article XVI respecting the application of sanctions. It was clear from the statements made that the system of sanctions can no longer be regarded as having a compulsory character and that members of the League generally were adapting their policies and their conceptions of the rôle of the League to this view. The situation in Spain and China and various economic and social problems were also discussed.

Mr. Sandler, delegate of Sweden, who opened the discussion, referred to the profound changes which have taken place in recent years in the composition and powers of the League and read to the Assembly the following declaration made on 24th July last by the seven States, Belgium, Denmark, Finland, Luxembourg, Netherlands, Norway, and Sweden, represented at a Conference at Copenhagen.

"Convinced that their countries ought to continue their co-operation in the work of the League of Nations, the Foreign Ministers wish to state that their Governments are determined for the future to keep to the course which they have drawn up for themselves by their declarations, according



to which, under present conditions and the practice followed during the last years, the system of sanctions has acquired a non-obligatory character. They are of the opinion that this non-obligatory character of the sanctions applies not only to a particular group of States, but to all Members of the League. They are convinced that it is in the interests of the League itself that this liberty of decision is expressly acknowledged. In this spirit they prepare for the discussion of the report put before the Assembly by the Committee of Twenty-eight."

In accordance with this declaration, Mr. Sandler set forth the view that the policy of neutrality—which certain countries, including his own, reserved the right to pursue—should be deemed entirely consistent with a loyal interpretation of the duties of the States Members of the League.

The delegates of the Netherlands, Norway, Denmark, Belgium, Finland, Poland, Estonia, Latvia and Lithuania generally associated themselves with this view. They held that the distinction which formerly existed between obligations regarding military sanctions and those regarding economic and financial sanctions had disappeared, all having now acquired a purely optional character, and that this also applied to the grant of the right of passage through a territory to the forces of any Member of the League participating in joint action against an aggressor. While generally expressing their continued belief in the fundamental principles of the League, they reserved for their Governments the right to decide in each particular case whether and to what extent, they would apply sanctions against an aggressor.

Speaking on behalf of the United Kingdom, Earl de la Warr agreed that the time had come to re-examine the principles by which the League should be guided in the present stage of its development. He said that, in the opinion of his Government, an honest avowal of the limitations of the League would have the effect of putting it on a sounder basis and of increasing its usefulness as an instrument of peace. To this end the United Kingdom delegation would put forward definite proposals in the appropriate Committee.

On the other side of the question the representatives of Spain, China, Mexico and the Soviet Union, while freely admitting the vacillation and failures of the League, were strongly opposed to any interpretation that would weaken the provisions of Article XVI, and urged that the League should persevere in applying the system of collective security and in endeavouring to make it more effective. The delegate of the Soviet Union, M. Litvinoff, was particularly vigorous in his opposition. Hitherto, he said, the aggressor had had to reckon with the possible action of the League; but now they were being asked to reassure him beforehand that he need fear nothing at the hands of the League. It might be objected that all that was proposed was to eliminate the obligatory and automatic character of sanctions. It was obvious, however, that the whole value of Article XVI lay in its obligatory character, which enabled every Member of the League to rely on universal aid if it were subjected to attack. If such aid were to depend on a separate decision in each individual case, if assistance were to be granted to some member-states and not to others, there could be no feeling of security and the world would be thrown back on the pre-war system of blocs and alliances.

Turning to the situation in Central Europe, M. Litvinoff stated that his Government had abstained from all advice to the Czechoslovak Government, considering it quite inadmissible that it should be asked to make concessions to the detriment of its interests as a state, in order that the U.S.S.R. should be set free from the necessity of fulfilling its obligations under the Treaty bearing its signature. When consulted by the French Government as to its attitude in the event of an attack on Czechoslovakia, the U.S.S.R. Government had given the perfectly clear and unambiguous reply that, in accordance with the Soviet-Czech Treaty, it was prepared to render Czechoslovakia immediate and effective

aid if France, loyal to its obligations, would render similar assistance, and had proposed that the whole question be brought before the League with the object of mobilizing public opinion and of ascertaining the position of other States whose passive aid might be extremely valuable. Unfortunately, he said, no effect had been given to this proposal but other steps had been taken which led to such a capitulation as is bound sooner or later to have incalculable and disastrous consequences.

The grave situation in the Far East was again brought to the attention of the Assembly by Mr. Wellington Koo, who described the staggering losses of life and property caused by the Japanese invasion and asked the League, on behalf of China: first, to apply forthwith Article XVII of the Covenant and, consequently, to invite Japan to accept the obligations of membership in the League for the purposes of its dispute with China; secondly, to implement the various resolutions of the Assembly and of the Council by recommending an embargo against Japan—the aggressor state—of arms, munitions, aeroplanes, oil and essential raw materials for its war industry as well as of financial credits for its war coffers, and by adopting measures of financial and material aid to China; thirdly, to take effective measures to deter Japan from continuing to apply such barbarous methods of warfare as the use of poison gas and the indiscriminate bombing of undefended towns and civilian populations. One of the essential steps to be taken for this last purpose was the despatch by the League of a commission of neutral observers to collect facts, investigate the situation on the different war fronts, and report to the League for consideration.

The delegates of Iraq and Egypt drew the attention of the Assembly to the situation in Palestine and Syria and expressed the hope that the Mandatory Powers would find means to satisfy the legitimate demands of the Arabs.

The Latin-American delegates expressed the satisfaction of their Governments at the pacific settlement of the Chaco dispute and at the success of the mission which the Secretary-General had sent to their countries during the past year.

At the close of the general discussion Senor Negrin, Prime Minister of Spain, came to the platform and submitted an unexpected proposal. The Spanish Government, he said, wishing to contribute to the *détente* which all desired, and being determined to remove every pretext for calling in question the national character of the Republican cause, had just decided on the “immediate and complete withdrawal of all the non-Spanish combatants engaged in fighting in Spain on the Government's side.” He announced that the Spanish Government had decided to ask the League of Nations to set up immediately an international commission for the purpose of making any investigations and enquiries it might consider necessary in order to satisfy the League, and through it world opinion, that this decision of withdrawal was being fully carried out. The Assembly decided to place the question raised by the Spanish delegation on its Agenda, and to refer it for consideration to the Sixth Committee.

## ELECTION OF NON-PERMANENT MEMBERS TO THE COUNCIL

The three non-permanent seats on the Council, made vacant by the retirement of Ecuador, Poland and Roumania on the expiration of their three years' term of office, were filled on September 21 by the election of Greece, Yugoslavia and the Dominican Republic. Poland did not stand for re-election as on previous occasions.

## ELECTION OF A JUDGE TO THE PERMANENT COURT

The election of a judge to the Permanent Court of International Justice, to fill the vacancy left by the death of Mr. Hammarskjöld (Swedish) was held on September 26. The Assembly, in agreement with the Council, elected Mr. Rafael W. Erich of Finland, who has had a long and distinguished career as a jurist and diplomat.

## COMMISSION OF ENQUIRY FOR EUROPEAN UNION

On the proposal of the General Committee, the Assembly decided to renew, for a further period of one year, the mandate of the Commission of Enquiry for European Union which, since 1930, has been intermittently investigating economic questions of special interest to that Continent, and to place the question on the Agenda of the next Assembly.

### THE SITUATION IN EUROPE

Though the Assembly was meeting at the height of the crisis arising from the German ultimatum to Czechoslovakia, no appeal was made to the League to attempt to settle the dispute or to prevent the outbreak of war. The general anxiety caused by the tense situation, however, found many echoes in the Assembly. A draft resolution on the subject was submitted by a number of members for the consideration of the General Committee which directs the work of the Assembly. The Committee met on September 28 and considered the matter, and on the following day the President proposed to the Assembly, on behalf of the Committee, the adoption of the following resolution which met with immediate and unanimous approval:

"Representatives of forty-nine States meeting as delegates to the Assembly of the League of Nations have watched with deep and growing anxiety the development of the present grave situation in Europe.

"The Assembly is convinced that the existing differences are capable of being solved by peaceful means. It knows that recourse to war, whatever be its outcome, is no guarantee of a just settlement, and that it must inevitably bring untold suffering to millions of individuals, and imperil the whole structure of civilization in Europe.

"The Assembly, therefore, voicing the prayer of the peoples of all countries, expresses the earnest hope that no Government will attempt to impose a settlement by force.

"The Assembly welcomes with great satisfaction the action taken by the President of the United States, and fully associates itself with the spirit which inspired it."

### FIRST COMMITTEE

#### (Legal and Constitutional Questions)

##### *Unification of Private Law.*

In accordance with a resolution of the 1937 Assembly providing that the activities of the International Institute for the Unification of Private Law in Rome should be entered each year on the Assembly's Agenda, the First Committee reviewed the work of the Institute during the past year in the light of a report submitted by M. Polychroniadis, delegate of Greece. The report recalling the object of the Institute, which is to work out means of co-ordinating the private law of the various States, and thus gradually preparing the way for the general adoption of uniform legislation in this sphere, outlined the progress made by the Institute during the year in its studies of the legal status of women, international loans, international commercial sales, liability and insurance of motorists, execution abroad of maintenance obligations and protection of intellectual rights.

In the course of the discussion, the Chairman expressed the Committee's gratitude to the Belgian Government for calling a Conference to deal with the revision of the Berne Convention on Authors' Rights to be held in Brussels in 1939.



### *Date of Convocation of the Assembly.*

Under the existing rule, the Assembly was scheduled to meet on September 10th at the latest, and it might have been convened as early as September 4th—dates which were inconvenient to the United Kingdom Government. Accordingly, they proposed that Rule 1, paragraph 1, of the Assembly Rules of Procedure be amended to read as follows:—

“The Assembly shall meet in general session every year at the seat of the League of Nations, commencing on the Monday which falls in the period September 14 to September 20 inclusive.”

Following a brief discussion, an amendment was adopted by the First Committee providing that henceforward the Assembly should open on the Monday falling between September 10 and 16 inclusive.

### *Status of Austria.*

The First Committee was requested by the Fourth Committee to give an opinion as to whether the Note by which the German Government informed the Secretary-General that Austria had “ceased to be a Member of the League of Nations” as a result of her re-union with the German Reich, should be considered a notice of withdrawal within the meaning of Article 1, paragraph 3, of the Covenant, which reads as follows:—

“Any Member of the League may, after two years’ notification of its intention so to do, withdraw from the League, provided that all its international obligations and all its obligations under this Covenant shall have been fulfilled at the time of its withdrawal.”

On the proposal of the Chairman, a Sub-Committee, consisting of the delegates of France, Colombia, United Kingdom, Denmark and the Chairman, was set up to draft a reply. The Sub-Committee proposed that the First Committee should give the following opinion on the question submitted to it by the Fourth Committee:—

“The First Committee finds that the German Government’s letter to the Secretary-General of March 18, 1938, is not a notice of withdrawal from the League of Nations within the meaning of Article 1, paragraph 3, of the Covenant.

“The obligation to pay contributions during two years is simply the consequence of the fact that a notice of withdrawal from the League under the above-mentioned provision leaves the State which gives such notice with the rights and obligations of a Member of the League during a period of two years.”

The Committee approved the conclusion reached by its Sub-Committee subject to a reservation submitted by the Spanish delegate. He regretted that the only way in which the problem of the disappearance of Austria as an independent Member of the League should have been dealt with was in connection with administrative questions. He declared that his Government could not agree to any decision in virtue of which the State which had addressed the letter concerning the withdrawal of Austria from the League of Nations should consider itself free from the financial obligations towards the League of the State which it had annexed.

### *Position of Aliens and Stateless Persons Released from Prison.*

On September 23 the First Committee considered a request for its views on the problem of the expulsion of aliens and stateless persons released from prison, which it had received from the Fifth Committee. Attached to the request was a memorandum recalling that the matter had come before the 1937 Assembly and that the Assembly had decided to refer it to the Seventh International Con-

ference for the Unification of Penal Law, which met at Cairo in January, 1938. As a consequence, the Committee now had before it resolutions of a comprehensive nature possessing both legal and social aspects. The memorandum ended with the suggestion that a League Committee of Experts be set up to make an exhaustive study of the subject and to recommend such measures as might enable Governments to solve it by international co-operation.

In the course of the discussion, the delegate of Canada (Mr. Thorson) said that he did not think it possible for the moment to open a legal debate regarding the substance of the principles adopted by the Cairo Conference. The Conference had appealed to Governments to pass legislation on the lines of these principles. As that appeal had been made, it would seem desirable that the Governments should be given an opportunity to consider the resolutions in their entirety. He suggested therefore that these resolutions and all relative documents should be communicated to Governments for their information and observations. At the same time he drew attention to the particular importance the matter had for some countries which were newer in the structure of their constituent elements. These countries might perhaps take the view that they owed stricter obligations to their peoples than other countries did. It was for that reason that the Canadian Government attached particular importance to the right of the people of Canada to determine who should stay and who should not stay in the country.

The Committee agreed with these observations and decided that the Minutes of its discussion, as well as the Minutes of the discussion in the Fifth Committee, should also be forwarded to Governments for their consideration.

## SECOND COMMITTEE

(Economic, Financial, Communications and Transit Questions)

### *Communications and Transit Organization*

The Second Committee was called upon this year to elect the members of the Communications and Transit Organization, the body which, under its new constitution, directs the communications and transit work of the League.

### *Exchange Control*

An extensive discussion took place on a wide variety of economic and financial questions of general international interest. The delegate of Canada, Mr. Martin, took part in the discussions on a number of questions of interest to Canada including the regulation of air navigation, pollution of the sea by oil, and general trade policies.

Considerable attention was given to the question of exchange control. Mr. Martin congratulated the Financial Committee on the excellence of its report on the subject. The Canadian Government, he said, did not concur in the tendency to recommend clearings agreements as a means of ameliorating the exchange situation. In saying this he did not wish to pass judgment on those countries which had been forced by economic circumstances to enter into them. Canada had, indeed, found it necessary to enter into one such agreement to safeguard its legitimate interests. "Perhaps the major difficulty in the way of further relaxation of controls," he pointed out, "is that any such system, established to protect the currency and the capital position of a country encountering economic difficulties (while it may serve its emergency purpose in the first instance) becomes eventually a hindrance to recovery by raising costs in the country employing the control and by making difficult the sale of that country's goods abroad. When a country in such a position burdens itself at the same time with heavy military expenditures and, because of the economic situation, heavy expenditures for relief of its home industries, social services and so on, action to free exchanges can, probably, be taken only with outside assistance. The relaxation of exchange controls by bilateral payment agreements is not of great value generally. By their very nature they are not subject to most-favoured-nation clauses, and, although they make possible some movement of

trade between the participating countries and allow the settlement of some old debts, they further increase the complication and regulation of international trade and tend to create vested interests in artificial trade alignments."

The discussion in the Committee made it evident that, in the present world political situation, and with the existing economic instability, it was not possible to propose international action to deal with the problems of exchange control and of raw materials along the lines contemplated by the Eighteenth Assembly. In its report, however, the Second Committee insist that "sight should not be lost of the object of restoring a greater degree of freedom in international exchanges of all sorts," and conclude that under present conditions bilateral negotiations are the most promising. It was stressed, however, that such negotiations have as their object an increase in the trade of States entering upon them, and the responsibility rests upon the major trading countries to promote trade *inter se*, even though some countries may not be prepared to co-operate. Further, such agreements "should be based on the principle of most-favoured-nation treatment and framed in a spirit of non-discrimination."

### *Economic and Financial Organization*

The Committee expressed the opinion that, although collective action is necessarily restricted at the present time, the importance of the work of the Economic and Financial Organization is not decreased, and they pointed out that three functions of the Organization are essential: first, the provision of an objective account and periodic analysis of world trends in production and trade which are of great value to Governments in framing their policies; second, by the provision, through technical committees and the annual Assembly, of opportunities for informal discussions among those responsible for the administration of economic and commercial policy; and third, by the "even more significant and less generally recognized" task of "consolidating the basis of law and custom on which international trade is conducted." Much of this has been done in the form of model conventions relating to various branches of international trade relations, such as sanitary regulations, customs clearance, bills of exchange, etc.

### *Economic Depressions*

It was evident that the members of the Committee were greatly interested in the problem of depressions and almost every speaker referred to the work in progress. The Canadian delegate, Mr. Martin, pointed out that under modern conditions the area of a depression is not limited by the national boundary and effective measures to deal with depressions can therefore only be taken internationally. The general effect of measures taken by Governments single-handedly to counteract the effects of depression is usually restrictive, and damaging to the trade of other countries which in turn are forced to take similar restrictive measures. The only beneficial effect of such measures is to spread a diminished national income more evenly over the whole population and in that way ameliorate somewhat the worst effects of depression.

The Committee expressed the view that in meeting the problems of depression countries should refrain as far as possible from measures which might alleviate the domestic situation at the expense of other countries, and that such measures lead to retaliation and to increasing difficulties all round as was amply demonstrated during the last depression. In particular, it was considered important that all governments should refrain at the present time from any measures which are likely to depress still further the prices of raw materials and foodstuffs on world markets, which are already unduly low. It was apparent that, were it not for the adverse effects on their balance of payments, many countries would prefer to adopt policies designed to increase purchasing power when depressions occur, rather than to impose restrictive measures; and that if such a policy is to be adopted generally, international co-ordination of national anti-depression policies is necessary.



### *Demographic Questions*

The Committee considered the proposal that the Economic and Financial Organization should continue the work undertaken on the question of international movement of goods and capital as part of the study of the population problem and it was decided that the Council should be requested to appoint a special *ad hoc* Committee on demographic questions. The work of the International Labour Office on the question of Migration for Settlement was also reviewed and it was noted that an inter-governmental committee on the question was contemplated by the Labour Organization.

### *Social-Economic Problems*

A good part of the time of the Second Committee was devoted to problems of social-economic policies, which have in recent years occupied a place of increasing importance in the work of the League. Nutrition, housing, rural hygiene and other problems have been and are being studied in collaboration with other technical sections of the Secretariat. In its report the Committee pointed out that the importance of the League's work in this field lies in the fact "that the application of science to agriculture and industry has greatly increased the world's productive capacity; while, at the same time, evidence continues to accumulate which shows that consumption falls short of minimum human requirements, with consequent ill-health, inefficiency, premature death and social unrest. The bridging of the gap between what can be produced and consumed and what is being produced and consumed is the fundamental economic problem of our times and one to which the League is very rightly paying special attention."

## THIRD COMMITTEE

### (Disarmament Questions)

The Third Committee, meeting under the Chairmanship of the Right Honourable Ernest Lapointe (Canada), was asked by the Assembly to deal with the following questions:—

#### (1) Reduction and Limitation of Armaments:

Action taken on the Assembly's resolution of September 30, 1937.

#### (2) Protection of the Civilian Non-Combatant Population against Air Bombing in case of War.

### *Reduction and Limitation of Armaments*

Mr. Lapointe, in opening the discussion, briefly reviewed the work undertaken during the past year in pursuance of the Assembly's resolution. He dealt first of all with the question of concluding a convention on the publicity of national defence expenditure which, it was hoped, would be the first step towards the conclusion of a general convention for the reduction and limitation of armaments. Twenty-two states out of the sixty-one consulted had, he pointed out, indicated acceptance of the proposal in principle although accompanied in many cases by reservations as to reciprocity. He touched also on the progress being achieved in the unification in different countries of the nomenclature and definition of arms and war materials and the growing tendency in recent years for states to subject the manufacture of, and trade in, arms to supervision upon an agreed basis. There remain, however, a considerable number of countries which have not co-operated with the League in furnishing information on their activities in this field and the Chairman suggested that it was for the Committee to consider whether it would be desirable to call the attention of these governments to the matter and once again endeavour to secure their co-operation.

The United Kingdom representative, Captain Wallace, outlined the progress made during the year in regard to the limitation of naval armaments, more especially with reference to the entry into force of the Anglo-German and Anglo-Soviet Naval Agreements, the signature of the Anglo-Polish Naval Agreement, the negotiations for bilateral agreements with Denmark, Finland, Norway, Sweden and Turkey, and the Exchange of Notes with Italy concerning

the latter's accession to the London Naval Treaty of 1936. He pointed out, also, that the attitude adopted by the Japanese Government had made it impossible to maintain the 35,000-ton limit for capital ships laid down in the Naval Agreements, with the result that the Powers concerned have raised this limit to 45,000 tons. The United Kingdom was, however, not at present proposing to build ships of more than 40,000 tons and had expressed to the French, German and Soviet Governments the hope that they would take a similar line.

The representative of France stated that his Government had announced its intention not to build ships of more than 35,000 tons, so long as that limit was not exceeded by any other continental European Power.

The discussion on the first item of the Agenda, however, was not prolonged. The Committee observed with regret the intensified competition in armaments during the year and felt that the task of disarmament must be taken up again as soon as circumstances were such as to allow any chance of successful organization of international relations on a pacific basis. The Committee expressed its conviction that the principle of publicity of national defence expenditure must form an essential feature of any system of limitation of armaments and asked the Assembly to request those Governments which have not yet done so to communicate to the League the measures taken in their territory to supervise the manufacture of, and trade in, arms, ammunition and implements of war.

#### *Protection of Civilians Against Air Bombing*

Turning to the second item on its Agenda—the protection of the non-combatant civilian population against bombing from the air in case of war—the Committee heard Senor de Azcarate of Spain, whose government had brought the question before the League, outline the terrible experiences undergone by the people living in the territories held by the Government forces, experiences which staggered the imagination by their horror. The number of bombs dropped on civil populations had reached approximately twenty-four thousand; seven thousand non-combatant civilians had been killed and eleven thousand had been wounded. The property damage had also been enormous. Ten thousand buildings had been wholly or partially destroyed. The losses were becoming more serious with every passing day. The Spanish Government did not, he said, resort to reprisals. They felt, however, that they should bring the matter before the League and place at its disposal their own tragic experience in the hope of erecting a barrier against such catastrophes.

The United Kingdom delegate (Captain Wallace) pointed out that while the usages of land and maritime warfare had been codified there was, at the present time, no international code of law on which general agreement had been reached concerning aerial warfare. He put forward three principles, which, he suggested, might serve as the basis of a general codification. These principles, translated into terms of aerial warfare, might be stated as follows: First, the intentional bombing of civilian populations was illegal. Secondly, targets aimed at from the air must be legitimate objectives, and must be capable of identification. Thirdly, any attack on those legitimate objectives must be made in such a way that civilian populations in the neighbourhood would not be bombed through carelessness.

The practical application of these principles was, of course, a matter of great complexity and would demand most careful investigation. He hoped, however, that they would be adopted by the Assembly as a first step toward the goal of securing for the civilian population of the world the maximum possible protection against the horrors of aerial bombardment.

The French delegation associated itself with the British proposal.

The representatives of Greece (M. Politis) and of Haiti (M. Frangulis) argued that the bombing of civilian populations by any means whatsoever is already prohibited by International law, citing Article 25 of the Hague Convention of 1907, and contended that what is needed now is practical regulation designed to ensure the application of the law which already exists. In this

connection M. Frangulis suggested that it would be desirable to specify in time of peace "undefended open towns and medical zones to be used as a site for hospitals and ambulances, which all states would undertake to respect and refrain from bombing."

The Polish delegate (M. Komarnicki) while prepared to accept the desirability of laying down general rules for the conduct of bombing operations emphasized that Poland would not accept any resolution which embodied any condemnation, however indirect, of any particular situation, since there had been no impartial investigation of the allegations on which such condemnation might be based.

The Chinese delegation, which had the support of the Soviet and several other delegations, thought that certain sanctions should be applied to a state guilty of unlawful bombing, suggesting in this connection that other governments should refrain from supplying such a state with aircraft and petrol.

The Committee was in general agreement with the proposal put forward by the United Kingdom delegation. In view of the technical character of the question it was decided to ask the Assembly to have the Bureau of the Disarmament Conference, which was to meet shortly, undertake the necessary practical work involved in the preparation of a general agreement on the basis of the United Kingdom proposal.

At the same time the Committee congratulated the United Kingdom Government on having taken the initiative in setting up a Committee of Investigation to examine cases of air-bombing of civilian populations in Spain, and decided to recommend that the Council should take under consideration any other appeal for the establishment of an international committee to investigate breaches of the principles above set forth in cases of bombing of civilian populations from the air.

#### FOURTH COMMITTEE

##### (Budgetary and Administrative Questions)

##### *Financial Situation and the Budget for 1939*

The financial position of the League was examined by the Fourth Committee in the light of the reports of the Auditor and of the Supervisory Commission, the permanent advisory body on matters of finance and internal administration. The position was found to be sound with accounts balanced and reserves intact. The surplus of income over expenditure for the past financial year, the calendar year 1937, amounted to 4,558,625 gold francs. It was agreed that this surplus, which was due partly to devaluation, partly to the payment of contributions in arrears and, partly, to economies in administration, should be used to build up the Guarantee and the Reserve Funds and to reduce the assessment of Member States for 1939 and subsequent years.

The estimated expenditure for 1939, as approved by the Committee, calls for an outlay of 32,234,012 Swiss francs, as against 32,273,251 Swiss francs for 1938, and is made up as set forth in the following table. For convenience of comparison the corresponding figures for 1938 are given in a parallel column.

	1938	1939
Secretariat . . . . .	15,929,331	16,188,063
International Labour Organization . . . . .	8,335,272	8,394,243
Permanent Court of International Justice . . . . .	2,894,516	2,839,689
Permanent Central Opium Board . . . . .	124,064	126,399
International Assistance to Refugees . . . . .	207,109	269,500
Buildings . . . . .	1,584,000	1,584,000
Pensions . . . . .	1,713,791	1,710,118
Settlement of Assyrians . . . . .	300,000	150,000
High Commissioner for Refugees coming from Germany . . . . .	73,168	
Fund at the disposal of the Supervisory Commission for expenditure resulting from currency depreciation . . . . .	1,040,000	
High Commissioner of the League of Nations at Danzig . . . . .	72,000	72,000
New York World's Fair . . . . .		900,000
<b>Total: Swiss francs . . . . .</b>	<b>32,273,251</b>	<b>32,234,012</b>



The increase over last year in the estimated expenditure for the Secretariat amounting to 258,732 Swiss francs, is due to a number of causes. The most important of these is the inclusion of supplementary credits providing for items recommended by the Council or various Assembly Committees such as: Technical Collaboration between the League of Nations and China in the anti-epidemic work undertaken in that country, 1,750,000 Swiss francs; Inter-Governmental Conference of American Countries on Rural Hygiene, 51,500 francs; Application of the Recommendations of the Committee on the Structure and Working of the Economic and Financial Organization, 41,308 francs; Publication of a Review of Social Questions, 25,000 francs; and the Committee for the Study of Demographic Problems, 18,403 francs. As against these increases miscellaneous decreases include, *inter alia*, the reduction to a nominal figure of the provision for an investigation in connection with the proposed Eastern Bureau to deal with the traffic in women, 49,999 francs; and a net reduction, after providing for the normal annual increments, of 36,811 francs in the amount expended in salaries.

The budget of the International Labour Organization, it will be noted, amounts to 58,000 Swiss francs more than expenditure in 1938. It includes a new credit of 60,000 francs for the extension of the Labour Office Building, and a credit of 266,000 francs for Committees, an increase of 55,000 francs which is due largely to the appointment of more members from overseas countries, in pursuance of the general policy of strengthening relations with extra-European countries. In his comments on the Labour Organization the Chairman of the Supervisory Commission, after alluding to the delicate constitutional position in which the Commission finds itself in regard to the budget of the Organization—an autonomous institution—stated that if, as was feared, the general financial position of the League were more difficult next year, reductions might have to be made in the budget of the Organization. This would be necessary particularly in respect of such items as printing and Committees, matters to which the report of the Supervisory Commission had drawn attention.

A further item of interest is the decrease shown in the vote for pensions. The total cost in respect of pensions for 1939 is estimated, however, at a higher figure, namely, 1,851,475 Swiss francs, the extra 141,357 Swiss francs being the proportionate share from non-Member States who are Members of the International Labour Organization. The Consulting Actuary stated in his report that the bases of the Pension Fund were inherently sound, but he pointed out the great importance of strengthening the reserves. The loss on premature retirements had been about 100,000 francs a year. Furthermore, the admission of certain officials at advanced ages had entailed a loss to the Fund. The Actuary indicated a satisfactory method of dealing with this problem, which the Fourth Committee decided to recommend for adoption by the Assembly.

The income budget, unlike the budget of expenditure, continues to be expressed in gold francs, the estimated expenditure of 32,234,012 Swiss francs for 1939 being equivalent, at the present rate of exchange, to 22,799,327 gold francs. Canada's contribution for next year will be practically the same as for the current year—779,303 gold francs as compared with 780,114 gold francs.

### *The Need of Economy.*

The Committee felt that, in order to provide against any increase in the burden to be borne by member states as a result of reduced membership, further consideration should be given to the question of retrenchment. It agreed with the United Kingdom delegation that this purpose could best be served by a thorough examination of the standing charges of the League by a special committee of independent persons, and, with this end in view, it adopted a draft resolution requesting the Council to appoint a committee of five persons to examine thoroughly the standing charges in the budgets of the

Secretariat and the International Labour Office and recommend what economies can be carried out either immediately or in the near future. The draft resolution also requested the Secretary-General and the Director of the International Labour Office to prepare their draft budgets for 1940 in the light of this recommendation.

#### *Special Committee on Contributions in Arrears.*

Notwithstanding the improvement in the payment of contributions, the position cannot as yet be considered as fully satisfactory, seeing that eighteen States had not paid their contributions for 1937 in full by the end of that year. The Fourth Committee decided, therefore, that the members of the Special Committee on Contributions in Arrears should be re-appointed for a further term of one year.

It approved the recommendations made in the report of the Special Committee in the case of China and Cuba, and accepted the First Committee's recommendation regarding Austria's contribution. Accordingly, Austria will have to be removed from the list of contributing States. This will mean a loss of more than 222,000 gold francs for the current year.

#### *Revision of the Scale of Allocation of the League's Expenses*

The present scale of allocation of the League's expenses, based, as were earlier scales, on such factors as area, population, production and trade of Member States, was adopted by the 1936 Assembly for three years and will, therefore, cease to be in force on December 31, 1939. Accordingly, the establishment of a new scale of allocation for 1940 and subsequent years was discussed at some length by the Committee.

The views of the Canadian delegation on the matter were put forward by Mr. Wrong, who considered that the existing scale was the result of long study and experience and represented a fair and practical basis. He thought, however, that there were a number of anomalies which, as far as possible, should be eliminated. It was, for instance, an anomaly for Canada to pay more than one European country with three times her population. As regards the criteria which should be adopted, capacity to pay was the most important one, but population was also an important factor. An equally important criterion was the benefit received by Member States from the League, and such data as national defence expenditure and expenditure on foreign affairs were therefore important.

After considerable discussion it was decided to appoint a Committee consisting of representatives of Argentina, Canada, France, Greece, India, Iran, Latvia, Mexico, Netherlands, Norway, the United Kingdom and the Union of Soviet Socialist Republics to consider the whole question. It was further decided that the minutes of the discussion would be made available to the Committee which, however, would be entirely free to decide the relative value of the various criteria which had been suggested.

#### *Membership of the Supervisory Commission*

The Committee proceeded to the election of three members to the Supervisory Commission. Senor Pardo (Argentine Republic) and M. de Boisanger (France) were elected for the period ending December 31, 1941, and M. de Ottlik (Hungary) for the period ending December 31, 1940.

#### *Exceptional Measures*

In view of the danger of general war which was threatening Europe, it was decided that until the next Ordinary Session of the Assembly, the Secretary-General and the Director of the International Labour Office, acting with the approval of the Supervisory Commission which may take all decisions by a majority vote, shall have in their discretion to take any exceptional administrative or financial measures or decisions which appear necessary.



The Committee further provided for the discontinuance, provisionally, of the right to capitalize pensions in the case of officials who left the services of the League as a result of special circumstances. It carefully excluded from the application of this new regulation all officials leaving the service of the League in the regular way.

## FIFTH COMMITTEE

### (Humanitarian and Social Questions)

The Fifth Committee was called upon to review the social and humanitarian work of the League during the past year, including the work of the Advisory Committee on Social Questions. The subjects included questions of child welfare, traffic in women and children, assistance to indigent foreigners, penal and penitentiary questions.

The discussion on the work of the Advisory Committee on Social Questions revealed general satisfaction at the progress made. The importance of co-ordinating social services, labour protection services and public health services was stressed by many delegates. It was agreed that emphasis should be laid on co-operation between the Advisory Committee on Social Questions, the Health Organization and the International Labour Office. The delegate of France urged the establishment of a permanent system of co-ordination between these three bodies.

The project for a periodical *Review of Social Questions*, to be published by the Social Questions Section of the League Secretariat, which had been approved in principle by the Eighteenth Assembly, was again before the Fifth Committee, and it was decided to recommend that publication should be commenced as soon as the necessary financial provision had been made. The Fourth Committee authorized a vote of 25,000 Swiss francs for the purpose.

### *Child Welfare*

The Committee noted with satisfaction that the Child Welfare Information Centre had made further progress in the building up of its files of information on the laws relating to child welfare in the various countries and that a considerable printed documentation had already been published.

An interesting and informative general discussion took place in the Committee on the future of the child welfare activities of the League both in relation to the work already accomplished by the Social Questions Committee, and to internal developments in many countries. It was pointed out that many Governments are extending the scope of their social services and attempting to correlate health, social, economic and educational services, and that there has also been a considerable extension of these services into rural communities.

The Committee noted that the Advisory Committee on Social Questions had now finished its study of certain aspects of child placing in families, the recreational aspects of the cinema and the legal position of the illegitimate child. A number of delegates paid tribute to the work of the Canadian representative on the Advisory Committee, Miss Charlotte Whitton, rapporteur on the subject of child placing in families.

The Committee also took note of the three new questions the Advisory Committee has placed on its Agenda for 1939: (a) the principles adopted in the organization and administration of welfare work among the young, including social assistance; (b) the training of persons engaged in social work, and (c) the problem of family desertion. This program met with general approval but some suggestions for its amplification were made. It was suggested that the question of the co-ordination of the efforts of health and social services should be one of the principal points to be considered, that the training in social service of persons employed in public administration should be included, as well as persons in voluntary organizations, and that particular attention should be given to the special provisions for welfare work among the young and the training of persons employed in social work in rural areas. The attention of the Committee was also drawn to the connection between the problem of family desertion and the execution of maintenance orders abroad.



In the course of the Committee's discussion on the future work of the Advisory Committee the Canadian delegate, Mrs. McClung, congratulated the Advisory Committee on the work accomplished. The Canadian delegation, she said, were gratified at the indication contained in the report of the Advisory Committee that the latter appeared to have been gradually clearing its agenda of what might be described as incidental and abnormal aspects of various social problems. In its early days, the Committee had had to seek specific remedies for specific evils, such as the delinquent child, the orphan and the illegitimate child, and such questions as the rehabilitation of prostitutes, and the employment of adolescents. Most of those problems had now been discussed and the time seemed to have come when a broader conception of the Committee's work should gradually be adopted. The Committee should now find itself freer to deal with the problems of the social services in their relation to the community, the problems of the normal family, the normal mother, the normal adolescent, and the normal child, and thus, by the prevention of social evils and abnormalities, increase the usefulness of that section of the League's work. She thought that this broader conception of the relations between society and the well-being of the family and its individual members was in accordance with the trend of the world to-day, as the discussion had shown. The Canadian Government, she stated, welcomed the Committee's efforts towards a more comprehensive visualisation of its work and hoped that the Committee would find it possible to press forward with the study and elucidation of the needs of the individual child and the family.

The problem of the protection of children in time of war was also discussed in connection with the future work of the Advisory Committee. The Committee were informed that it had been considered by the Advisory Committee at their last session and that the International Red Cross had called upon National Red Cross Societies, in collaboration with other competent national organs, to bring the problem to the attention of their Governments. The Spanish delegate spoke of the suffering of children in Spain and of the efforts that had been made to alleviate it.

#### *Traffic in Women and Children*

The Committee discussed the question of the calling of a conference for the conclusion of a convention "to protect persons of full age and of either sex against procuration for profit, even when they consent and are not taken abroad, and also against any other form of exploitation of their prostitution." The replies already received from Governments, to which a draft convention on the subject has been submitted, indicate that some modifications may be necessary in detail but that the principles are generally accepted as satisfactory. The Committee recommended to the Assembly the passage of a resolution requesting the Council to call a diplomatic conference in 1940 for the conclusion of the proposed convention.

The Committee discussed the new form of questionnaire adopted for returns by Governments on the traffic in women and children. This revised questionnaire makes a clearer distinction between the national and international traffic. The hope was expressed that the new questionnaire would result in an increased number of returns from Governments. The Canadian delegate, Mrs. McClung, pointed out, however, that, in the opinion of the competent Canadian officials, the new questionnaire, although an improvement on the old, was not yet completely satisfactory for countries with federal constitutions and expressed the hope that further modifications would be considered to adapt it to their needs.

#### *Assistance to Indigent Foreigners*

The Committee had before it the report of the Committee of Experts on Assistance to Indigent Foreigners and noted its opinion that a multilateral convention would not be sufficiently acceptable to be practicable at the present time, and that the Expert Committee had, therefore, contented itself with framing a number of general recommendations on the question. The Committee

approved of the experts' proposal that Governments should be asked to make a report in three years' time on the effect given to these recommendations.

### *Position of Aliens and Stateless Persons Released from Prison*

The question of the position of aliens and stateless prisoners released from prisons came before the Fifth Committee, but, in view of the legal aspects of the question, it was decided to refer it to the First Committee. The Fifth Committee concurred in the opinion of the First Committee that it would be desirable to consult Governments and defer a decision to the next Assembly.

The Committee also had before it reports on the work for the past year of the following organizations: International Penal Law Association; International Bureau for the Unification of Penal Law; International Penal and Penitentiary Commission; International Criminal Police Commission; the Howard League for Penal Reform and the International Law Association. The Committee thanked them for their co-operation and congratulated them on their excellent work during the past year.

## SIXTH COMMITTEE

### (Political Questions)

#### *Question of Re-interpreting the Covenant*

The most important matter coming before the Sixth Committee this year was the question of revising, or rather, since no question of formal revision was involved, of re-interpreting the obligations of the Covenant. The Committee had before it the report of the Committee of Twenty-Eight set up by the Seventeenth Assembly in 1936 following the abandonment of the partial sanctions imposed upon Italy after the invasion of Ethiopia, to study "the question of the application of the principles of the Covenant and all problems connected therewith." The report, reflecting the diversity of the opinions held by the various members, did not put forward any proposals or recommendations for specific amendments but confined itself largely to setting forth the views expressed and the statements made by members of the Committee in the course of its discussions which had extended, with numerous intermissions, over a period of nearly two years. After a number of States not represented on the Committee of Twenty-Eight had expressed their views on the general question of revision of the Covenant it was decided, on the initiative of the United Kingdom delegation, that the Sixth Committee should consider four questions which had been among those most carefully studied by the Committee of Twenty-Eight, namely, the unanimity rule and its application to the first paragraph of Article XI; the so-called coercive provisions of Article XVI; the Separation of the Covenant from the Peace Treaties; and Collaboration with Non-Member States.

#### *(a) The unanimity rule and its application to paragraph 1 of Article XI*

Except where otherwise expressly provided in the Covenant, or by the terms of the Peace Treaties, decisions at any meeting of the Assembly or Council have always required, by the terms of the Covenant itself, the agreement of all Members of the League represented at the meeting. For some time past it has been evident that Article XI, one of the most useful and frequently resorted to Articles of the Covenant, was in danger of being stultified by the rigid application of this rule. Under Articles XV and XVI, which deal primarily with war and the question of sanctions, provision is made for setting aside the unanimity requirement. With respect to Article XI, however, the Council has been unable, without first securing the votes of the parties to a dispute, to express an opinion concerning the facts or to recommend measures of a precautionary character with a view to safeguarding peace or of minimizing the risk of war. The United Kingdom delegation, with a view to making it easier for the League to intervene in disputes and to settle them before the

countries in question have taken any irrevocable decisions, proposed that the Council be empowered in disputes under paragraph 1 of the Article, i.e., in conflicts involving war or more probably the threat of war, to express an opinion on the facts or make recommendations as to measures to be taken for the purpose of safeguarding peace, by agreement of its members other than the parties to the dispute.

In the discussion that followed France, China, Spain, Sweden, Union of South Africa, New Zealand and a number of other countries supported the United Kingdom proposal. M. Koht, delegate of Norway, regarded the United Kingdom proposal as a minimum objective. Stressing the view that opposition to any change in the Covenant was a dangerous position to take and that to require unanimity was to hamper the League in one of its vital tasks, he urged the Committee to go somewhat further and adopt a resolution providing that a simple majority vote would suffice for acts of mediation or conciliation or in case of friendly acts designed to obviate the danger of international conflicts.

Mr. Lapointe (Canada) expressed his agreement with the view of the Norwegian delegate with respect to persistent opposition to changes likely to facilitate the work of the organization. The League of Nations was after all a human institution. It had been unable to attain perfection at the moment of its creation and in his view it would be unwise not to accept changes which twenty years of experience might have shown to be necessary to ensure the success of its work. The sole object of Article XI was, he held, not to impose sanctions, but to enable the League to take in good time measures calculated to prevent the outbreak of a conflict. He expressed his ardent desire to see better international relationships established and argued that to require the prior assent of parties to a dispute would be to render the application of the Article quite illusory.

The representatives of Poland, Roumania and Hungary expressed opposition to any movement designed to remove the safeguard of unanimity from Article XI, on the general ground that it would involve an impairment of sovereignty, contending that in no dispute in which the vital interests of a country were at stake should a solution be imposed upon it without its consent.

M. Unden, delegate of Sweden, who was appointed rapporteur, drew up a draft report and resolution based upon the United Kingdom proposal and purporting to take into account the differences of opinion revealed in the discussion. The report, after setting forth the view that the proposal covers two possible cases—that in which the Council should express an opinion on the facts of a dispute and that in which it should recommend measures of a precautionary character—proposed the adoption of the following resolution:—

“The Assembly,

\* \* \* \*

“Expresses the view that, in cases in which a dispute is referred to the Council under paragraph 1 of Article XI, the Council may, with the consent of all its Members other than the parties to the dispute:

“(1) Express an opinion or adopt a report concerning the facts of the dispute;

“(2) Make recommendations as to the measures to be taken by the Members of the League, other than the parties to the dispute, to safeguard peace.”

Considerable objection was taken to M. Unden's report chiefly on the ground that, if it were adopted, Article XI might lose its most important function which should be that of conciliation. The Canadian delegate considered that the report did not give adequate weight to the Canadian view that, as the League has developed, the primary purpose of the Article is to deal with emergencies which constitute a threat to peace rather than with the settlement of disputes that have already resulted in war and that the Article should be confined to



measures of conciliation and not be extended to include measures of coercion against a country which had not resorted to war. The report, however, was adopted by twenty-five votes to two (Hungary and Poland). Seven countries, including Canada, abstained, the Canadian delegate explaining that, while in general agreement with the proposal that the principle of unanimity be set aside in this particular case, account had not been taken in the report of the Canadian view as to the scope of the Article.

(b) *The so-called coercive provisions of Article XVI.*

The question as to the interpretation which should be placed, in the circumstances in which the League finds itself, upon the provisions of Article XVI gave rise to an extended exchange of views. Mr. Butler, delegate of the United Kingdom, who opened the discussion, referred to the difficulty of securing agreement as to the interpretation which should be placed in present circumstances on the provisions of Article XVI and stated that his Government felt it desirable to define the manner in which they would interpret their obligations under this Article. They desired to do so not merely as a statement of the attitude which the United Kingdom Government would itself adopt but in the form of general propositions which were believed to be applicable to the present situation and which might perhaps commend themselves to other Governments whose points of view were the same. These propositions he set forth as follows:—

“The text, structure and juridical effect of the Covenant remain unaltered. In view, however, of the special circumstances existing at the present time, His Majesty’s Government in the United Kingdom will interpret their obligations under Article XVI of the Covenant in accordance with the following propositions, which apply equally to the case where Article XVI becomes applicable by virtue of paragraph 3 of Article XVII:

1. The circumstances in which occasion for international action under Article XVI may arise, the possibility of taking such action and the nature of the action to be taken cannot be determined in advance; each case must be considered on its merits. In consequence, while the right of any Member of the League to take any measures of the kind contemplated by Article XVI remains intact, no unconditional obligation exists to take such measures.

2. There is, however, a general obligation to consider, in consultation with other Members of the League, whether, and if so how far, it is possible in any given case to apply the measures contemplated by Article XVI and what steps, if any, can be taken in common to fulfil the objects of that Article.

3. In the course of such consultation each Member of the League would be the judge of the extent to which its own position would allow it to participate in any measures which might be proposed, and in doing so it would no doubt be influenced by the extent to which other Members were prepared to take action.

4. The foregoing propositions do not in any way derogate from the principle, which remains intact, that a resort to war, whether immediately affecting any of the Members of the League or not, is a matter of concern to the whole League and is not one regarding which Members are entitled to adopt an attitude of indifference.”

While there was general agreement that, in the present circumstances of the League, sanctions under Article XVI had in practice acquired a non-obligatory character, the discussions that followed gave rise to the expression of widely divergent points of view both as respects the essential principles of the League and the legal and moral obligations of membership.

The Union of South Africa, India, Irak, Turkey and Lithuania expressed general agreement with the interpretation put forward by the delegate of the United Kingdom. Certain other delegations gave more qualified approval.

The "Oslo Group"—Norway, Sweden, Denmark, Netherlands, Belgium, Luxembourg and Finland—set forth their own interpretation of the Article, taking the position that the system of sanctions as a result of present circumstances and the practice followed in recent years has acquired a non-obligatory character and that it should be recognized that all Members of the League have the right to decide whether or not they would apply the sanctions provisions of the Covenant in any particular case. Latvia, Estonia and Poland generally associated themselves with this view.

Mr. Lapointe, speaking for Canada, expressed agreement with the view that as a result of present circumstances and the practice followed in recent years, the system of sanctions set forth in Article XVI had acquired a non-obligatory character and called attention to the statements respecting Canada's position on this question made by the Prime Minister before the Seventeenth Assembly in 1936 and on May 24, 1938, in the Parliament of Canada. In considering the interpretation of Article XVI it was necessary to take into account the developments which have taken place since the League was founded and the realities of the existing situation. The substantial universality contemplated in the Covenant and essential for the effective working of the League had never been attained. In this respect, indeed, the situation was now less promising than at any time since the League was first established. Article VIII respecting disarmament had never been implemented. Article XIX, providing for peaceful change through the revision of treaties that have become inapplicable and the removal of conditions that constitute a threat to the maintenance of peace, had never been used. Clearly it would be inadmissible that Article XVI should remain operative while these important provisions of the Covenant, on which the satisfactory functioning of the League is based, were never implemented. Moreover, he pointed out, the provisions of Article XVI had never been applied in their entirety. They were but partially and temporarily employed in the conflict between Italy and Ethiopia and were never employed at all against an aggressor when the conflict took place in America or in Asia. "By actual practice and consent," he concluded, "the system of sanctions under the Covenant has ceased to have effect. Sanctions have become non-automatic and non-obligatory in character and the interpretation which has been developed as regards one region cannot be limited to that region alone."

The Irish delegate, Mr. Hearne, stated that in the opinion of his Government the provisions of Article XVI now imposed no legal or moral obligation upon any Member of the League to apply sanctions in any circumstances. They were satisfied that in the interest of the preservation of the League and the acceptance of League principles in the future, the right of each of the Member States to decide for itself whether sanctions should or should not be applied should be recognized. The policy of the Irish Government would be based upon the existence and recognition of this right.

A considerable number of countries, including France, Spain, U.S.S.R., China, New Zealand, Colombia, Bolivia, Ecuador, and Mexico, were unwilling to support any resolution or interpretation that would weaken the League or alter the structure and legal effect of the Covenant. Many countries, moreover, considered that the moment for a discussion on this question was not well chosen and participated out of courtesy to the United Kingdom. No general agreement on the terms of a resolution being practicable, it was decided to adopt a brief report noting that recourse to war against a Member of the League cannot be considered as a matter in regard to which Members are entitled to adopt an attitude of indifference, that there is general agreement that military measures contemplated in Article XVI are not compulsory, that many Members have stated

that they do not consider themselves bound to apply economic or financial measures and asking the Assembly to communicate to all Members of the League the statements made on this Article by the various delegations which took part in the discussion.

*(c) Separation of the Covenant from the Treaties of Peace*

For many years past consideration has been given to the desirability of separating the Covenant from the Treaty of Versailles, and other treaties terminating the Great War, in each of which it was incorporated. It was hoped thereby to remove the resentment felt in Germany and certain other countries against an institution so closely linked with their defeat, and to eliminate expressions in the Covenant which might contribute to estrange or induce certain States to hold aloof from the League. The question was referred by the last Assembly to a Committee of Jurists who, after studying the matter in detail, drew up a draft Protocol, the text of which was communicated to Members of the League, setting forth the formal amendments in the text of the Covenant which would be necessary to separate it from the treaties in which it was incorporated and give it a separate and independent existence. As there was a general desire to make this gesture of conciliation and as no question of principle was involved, but only one of form, the Jurists' proposal was adopted by the Committee almost without discussion.

*(d) Collaboration between the League and Non-Member States*

In recent years it has become increasingly clear that the realization of universal membership, one of the ideals of the League since its establishment, is a matter of great difficulty. Indeed, the trend of events appears to be leading rather to withdrawals from the League than to accessions to it. As the chances of obtaining the substantial universality assumed in the Covenant and necessary to the effective working of the League appear more and more remote the question of collaboration with Non-Member States becomes of special importance. A good deal of technical and non-political collaboration has been carried on with Non-Member States in recent years. With a view to further increasing and extending this technical and non-political collaboration between the League and Non-Member States, the United Kingdom delegation proposed a draft resolution asking Non-Member States for any suggestions they might feel disposed to make in order to bring about a wider development of such technical and non-political collaboration. The proposal was adopted by the Committee without discussion.

*International Assistance to Refugees.*

The problem of caring for refugees, which has occupied a prominent place in the activities of the League since its establishment in 1920, was again considered by the Sixth Committee. Earlier Assemblies, meeting in more favourable circumstances, had taken steps to liquidate, as from December 31, 1938, the two organizations established under the League to deal with refugees, namely, the Nansen International Office, assisting Russian, Assyrian, Armenian, Chaldean and Turkish refugees and those from the Saar, and the Office of the High Commissioner for refugees coming from Germany, including the territory formerly known as Austria. But while steps had thus been taken to wind up the League organizations for dealing with refugees, the refugee problem had not disappeared but had, on the contrary, become greater than ever. It was necessary, therefore, to provide for continuing the work of assistance and to arrange for establishing close co-operation with the Inter-governmental Committee recently set up at London, on the initiative of President Roosevelt, for the purpose of facilitating the emigration of political refugees from Germany and Austria.



Following the precedents established at the Sixteenth and Seventeenth Assemblies it was decided to set up a sub-committee, composed of the representatives of the Argentine Republic, Belgium, Bolivia, the United Kingdom, China, Czechoslovakia, Denmark, France, Greece, Iran, Latvia, the Netherlands, Norway, Poland, Portugal, Roumania, Switzerland, Yugoslavia and the Union of Soviet Socialist Republics, to study the various aspects of the refugee problem.

After several days spent in examining the subject in its various aspects it was decided to recommend the co-ordination into a single agency of the League services dealing with refugees, and for this purpose to appoint for a period of five years a High Commissioner with headquarters at London who would report annually to the Assembly. He would receive a salary of 45,000 Swiss francs, approximately \$10,500 per annum, and a grant from the League budget of 224,500 Swiss francs, approximately \$52,000, for administrative expenses.

The task of the High Commissioner would be to provide for the political and legal protection of the two groups of refugees above mentioned (no provision being made for other refugees) and to assist Governments and private organizations in their efforts to promote migration and permanent settlement. While empowered to accept funds from Governments and private sources the High Commissioner would not directly assist refugees but would allot such funds among organizations he considered best qualified to administer assistance. It was also recommended that he would co-operate with the Inter-governmental Committee in London respecting the admission of involuntary emigrants to countries of refuge and settlement.

When the sub-committee's report was submitted to the Sixth Committee the delegate of Norway (M. Koht) drew attention to the lack of provision for refugees other than the groups above mentioned and served notice that Norway reserved the right at a later date to raise the question of placing all political refugees, without distinction of origin, under the protection of the League. Some objection was also raised by the Latvian delegation to the employment of League funds for the remuneration of representatives of the High Commissioner abroad. Yugoslavia, Iran, Bulgaria and Egypt stated that they were not prepared to accept any more refugees. In general, however, the report met with the approval of the main Committee and was adopted unanimously after a short discussion. A few days later Sir Herbert Emerson, a former Governor of the Punjab, was appointed High Commissioner.

### *Mandates*

The Committee, as in previous years, reviewed the action of the Mandatory Powers, in the light of reports of the Mandates Commission, with respect to the territories committed to their charge. The discussion centred once again mainly on Palestine where serious disturbances still continue. Emphasis was laid on the urgent need to solve the problem of the future status of that territory—a problem that is rendered particularly complex by the importance attached, on the one hand, to a National Home for the Jewish populations scattered throughout the world and, on the other, to the safeguarding of the rights of the Arab population.

The representatives of Iraq, Ireland, Egypt and Albania strongly opposed any attempt to deal with the problem by partition.

Mr. Butler (United Kingdom) said he did not wish to reply in detail to the points raised in the discussion because the problem of Palestine was, as a whole, "sub-judice." While his Government favoured partition as the best and most hopeful solution of the problem it was not practical to take a final decision on the future policy regarding Palestine until a report had been received from the Technical Commission appointed to examine the possibilities of partition. In the meantime the Administration was doing all it could to suppress the campaign of terrorism which prevailed since last summer.

The recent political evolution of Syria and Lebanon, the other principal mandated area, was also brought up during the discussion. M. Paul-Boncour, delegate of France, assured the Committee that negotiations were progressing favourably between the French Republic, the Power entrusted with this mandate, and the Governments of Syria and Lebanon with a view to bringing about the admission of these countries to the League.

At a subsequent meeting the Norwegian delegate (Mr. Andersen), who had been appointed rapporteur, presented a resolution which was adopted by the Committee. The resolution, taking note of the work of the Mandatory Powers, and renewing the Committee's confidence in them, expressed the hope that the problems relating to Palestine may be solved in the near future, account being taken of all the legitimate interests at stake.

### *Withdrawal of Non-Spanish Combatants from Spain*

Senor del Vayo, delegate of Spain, began the discussion on this question, which had been referred to the Committee by the Assembly, by explaining in greater detail the scope and significance of the proposal put forward on 21st September in the plenary meeting of the Assembly by Premier Negrin. He reminded the Committee that, as early as February, 1937, the Spanish Government had taken the position that the withdrawal of the foreigners fighting in Spain was an essential prerequisite to any satisfactory solution of the international difficulties to which the struggle in Spain had given rise. His Government had co-operated with the Non-Intervention Committee's proposals, whenever requested to do so, in spite of their obvious injustice to the Government side. The free and spontaneous decision of the Spanish Government to withdraw immediately all foreigners fighting in the Republican army, without distinction of nationality and including those who have acquired Spanish nationality since the beginning of the struggle, announced to the Assembly by Senor Negrin, provided a further proof of the sincere attachment of his Government to this principle.

In order to satisfy the League and through it the public opinion of the world that this decision had been fully and promptly carried out, the Spanish Government now desired to request the League to set up without delay an international committee whose sole duty would be to verify the complete withdrawal of all non-Spanish combatants engaged in fighting in Spain on the Government side. The Spanish Government would afford the Commission every guarantee, facility and assistance needful for the performance of its duty.

The proposal was discussed at two lengthy sessions of the Sixth Committee on the 28th and 29th September. Early in the discussion the United Kingdom delegate, Mr. Butler, declared that a new situation had been created by Senor Negrin's announcement. He welcomed as a valuable and significant step the withdrawal of foreigners on the Government side but contended that the work of the Non-Intervention Committee was still necessary in order to achieve withdrawal from both sides. The League, he thought, should take no action which would interfere with the execution of the Committee's plan of withdrawal. Without rejecting the possibility of the despatch of a League Commission, Mr. Butler suggested that the work might be undertaken instead by the Non-Intervention Committee. He asked that the Spanish representative give assurances that the despatch of a League Commission would not prejudice subsequent action by the Committee under the Non-Intervention Agreement. He also asked that it be made clear that, if a League Commission were sent, it should have no responsibility for the actual withdrawal and repatriation of foreigners.

Senor de Azcarate, the Spanish delegate, at once replied stating categorically that the despatch of a League Commission would not affect the subsequent execution of the plan of the London Committee. He pointed out that the plan of the Committee could be carried through far more easily if the foreigners

on the Government side had already been withdrawn and gave assurance that the duties of the League Commission would be confined solely to verification of the facts.

The French representative, M. Bibié, warmly welcomed the Spanish proposal and stated that his Government was prepared to give it its whole-hearted adhesion provided there was no interference with the Non-Intervention Committee. A number of other delegations took a similar stand. M. Litvinoff (U.S.S.R.), while favouring the proposal, took advantage of the occasion to review, in outspoken terms, the activities of the Non-Intervention Committee up to the present time.

The delegates of Albania, Poland and Portugal, however, were critical of the proposal, and were joined on the following day by the Hungarian delegate. They took the view that the question ought to be left to the Non-Intervention Committee and that the League should take no action.

Mr. Butler (United Kingdom) later intervened with a suggestion that the Committee, instead of voting on Senor Negrin's resolution, which could not secure unanimous support, should request the Council to consider the proposal, taking into account the expressions of opinion advanced during the discussion. This proposal was promptly accepted by the Spanish delegate, and was adopted by the Committee in the form of a draft recommendation that the Council would take under consideration the Spanish proposal in the light of the discussion in the Committee.

#### *The Situation in Spain*

The Committee went on to consider briefly the general situation in Spain, particularly with reference to the question of securing a peaceful settlement of the conflict. M. Koht, delegate of Norway, referred to the resolution adopted by the Committee at its meeting last year but which had subsequently been defeated in the Assembly itself by the votes of Albania and Portugal.

The first seven paragraphs of this resolution, he pointed out, had dealt with the policy of non-intervention in the Spanish conflict, but the eighth paragraph had merely been a request to the Council, in view of the provisions of Article XI of the Covenant, to follow the situation in Spain and to seize any opportunity for encouraging a solution of the conflict. He suggested that this paragraph might now be adopted as a separate Assembly resolution.

In the course of the brief discussion which followed, Mr. Butler (United Kingdom) raised the objections that the Covenant had not been drawn up with an eye to civil war, and that the application of Article XI to the Spanish situation presented special difficulties when one of the contending parties was a Government not recognized by most of the Members of the League. He fully agreed with the spirit of the Norwegian proposal but suggested that the Committee should merely express the hope that the two sides in Spain might come to a satisfactory settlement.

Senor de Azcarate, delegate of Spain, in reply, pointed out that the conflict in Spain was an internal struggle which had never been referred to the League of Nations by the Spanish Government. The one question brought before the League had been that of foreign intervention in the struggle, and the League had only been invited to collaborate in eliminating from a purely Spanish conflict the foreign elements which had intervened; the intervention of the League as a mediatory body was neither sought nor desired. The Norwegian delegate then withdrew his proposal in favour of a recommendation merely drawing the Council's attention to the discussion on this question.



## SEVENTH COMMITTEE

(Health, Opium Traffic, Intellectual Co-operation, etc.)

In view of the broadening scope of the League's activities with respect to technical, non-political questions involving international collaboration and the increased emphasis which has now come to be placed on this aspect of the League's work, it was decided this year to set up a separate Committee to deal with health, opium traffic, intellectual co-operation and a number of miscellaneous technical questions, some of which in the past had been referred to the Second and Fifth Committees. This arrangement had the added advantage of leaving the Second Committee to deal exclusively with financial and economic questions, including communications and transit, and of permitting the Fifth Committee to devote its time to purely social and humanitarian questions.

*Health Questions*

The Committee reviewed the work of the Health Organization during the year. Considerable attention was given to the special collaboration with China arranged last year as a result of the appeal of the Chinese Government for assistance in the campaign against epidemics. The Committee received a report on the missions which had been sent to China by the League and on their work in the field. Under conditions of great difficulty they have already had to combat epidemics of plague, typhus fever, cholera and dysentery. A number of speakers congratulated the Health Organization on this work and pointed out that in addition to assisting China they were also safe-guarding other countries from the spread of these epidemic diseases. The Chinese delegation on the Committee thanked a number of Governments, especially the United States, Roumanian and Turkish, which have supplied large quantities of vaccine for the use of the Mission.

The Committee then discussed more positive policies of prevention of disease, and references were again made to the work done in the field of nutrition. A number of delegates thought that the work in physical and mental fitness and housing hygiene should be given as much attention as possible, and various delegations stressed that this work should be extended to rural areas in all parts of the world. The French delegate, M. Parisot, made a statement in some detail on the objects and methods of the Health Organization and expressed the opinion that the publication of a technical chronicle of the Health Organization's work, separate from the Bulletin of the Health Organization, which is used mainly to issue reports of the technical commissions, would be desirable. The Committee concurred in this proposal and recommended its adoption by the Assembly.

*Illicit Traffic in Opium and other Dangerous Drugs*

The discussion this year centred largely about two aspects of the opium question—the proposed Convention for the Limitation and Control of the Production of Raw Opium and, secondly, the situation in the Far East.

The Advisory Committee on Opium, at its session in Geneva in May, sat as a Preparatory Committee for a Conference for the Limitation and Control of the Production of Raw Opium. The Committee had before it both the report of this Preparatory Committee and the reports submitted to the Council at their One Hundred and Second Session containing an account of the work done, the difficulties encountered and the decisions reached.

A number of delegates took part in the discussion and statements of importance were made by the delegates of China and Poland. The Chinese delegate said that in the view of his Government the purpose of the proposed

Convention should be the suppression of all non-medical uses of opium. This proposal involves a much narrower definition than some others, according to which the legalization of the use of opium for certain other purposes would be permitted.

The Polish delegate, referring to the manufacture of alkaloids from poppy straw, took the view that any attempt by the Committee to control the production of the opium poppy for purposes other than the manufacture of opium could not be justified on humanitarian grounds and would in any case be outside the competence of the Committee.

With regard to the situation in the Far East, the Committee had before it the report of the Advisory Committee, which had been submitted to the Council and had been referred to the Assembly. This report contained an extract from the minutes relating to the situation in those parts of China under the control of the Japanese forces. The discussion was opened by the delegate of the United Kingdom (Miss Ward), who drew the attention of the Committee in particular to the statements made by the United States, Canadian, Indian and Egyptian representatives. She further expressed the view that the Committee would desire that all possible necessary steps should be taken if it appeared that the report of the Advisory Committee correctly represented the situation.

The delegate of China (Mr. Victor Hoo) then made a statement on the situation in North China. He felt that in any report published by the Committee the gravity of the situation should be brought out and responsibility stated. He then reviewed the situation in terms according substantially with those used by the United States representative and others in the meetings of the Advisory Committee on 13th and 21st June last.

The delegate of Canada, Mr. Martin, who followed, pointed out that the information before the Committee made it evident that the situation in the Far East, bad as it had been a year ago, had seriously deteriorated since that time. He explained that the Canadian interest in the situation was twofold; firstly, that any such plague spot as had been revealed in the Far East was in itself a scandal; secondly, that it was a menace to other countries and particularly to Canada exposed by reason of its proximity and the existing lines of transportation. He was glad to say that as a result of disclosures in previous sessions of the Advisory Committee, the Japanese Government had taken preventive measures in Japanese territory. In that part of China controlled by the Japanese armies, however, there was no evidence that any effective steps were being taken. In his remarks he quoted from the statements of the various members of the Advisory Committee, and in conclusion the declaration made by Senator Carnoy of Belgium in that Committee, to the effect that the reply made by the Japanese representative to these allegations was far from satisfactory. Mr. Martin said that action had been taken in the past when the situation was less serious. He thought that the Committee could not take a less firm attitude than that taken by the Advisory Committee, which had laid the matter before the Council and the Assembly. He presented a draft resolution, which was approved by the Committee and subsequently adopted by the Assembly, noting that no improvement had taken place in the situation in the past year but rather that it had grown worse and associating the Assembly with the action taken by the Council on September 17th in bringing the Minutes of the Opium Advisory Committee's discussion on the situation in the Far East to the attention of the Governments of Japan, and China, and other countries concerned, and requesting these Governments to transmit their observations on the facts brought out in these discussions.

#### *Intellectual Co-operation*

The Committee considered the work of the Intellectual Co-operation Organization including a report of the session held at Geneva in July last at which the aims of the Organization were re-stated in the following words: " . . . to

serve the universal life of the mind, and by looking beyond the immediate circumstances, to prepare for its future; and, at the same time to initiate new forms of practical work calculated to improve and extend existing intellectual co-operation, to perfect the equipment placed at the disposal of intellectual workers and systematize all kinds of cultural exchanges in every possible way."

The Committee drew the attention of the Assembly to the Conventions which have been prepared under the auspices of the Intellectual Co-operation Organization relating to the protection of national artistic and historical treasures in time of war, and welcomed the calling of a diplomatic conference to conclude them.

Considerable interest was shown by delegates in questions of intellectual rights. The Committee recommended to the Assembly a resolution on the subject expressing an earnest desire for the success of the Conferences which the Belgian Government has offered to convene in 1939 for the revision of the Berne Convention on Artistic and Literary Property and the adoption of a Universal Statute on Author's Rights.

### *Modern Means of Spreading Information in the Cause of Peace*

Under this head the Committee had before it (a) proposals of the International Committee on Intellectual Co-operation for a program of work to utilize modern means available for spreading information in the cause of peace, and (b) a request from the Diplomatic Conference, which met at Geneva September 10 to 12, 1938, to authorize the International Committee on Intellectual Co-operation to assume the task of facilitating the operation of the Convention for the International Circulation of Films of an Educational Character.

With respect to the first question attention was given to broadcasting. The Committee discussed the intention of the International Committee to make full use of national as well as international broadcasting organizations, through the National Committees on Intellectual Co-operation. The possibility of arranging for special facilities for accredited broadcasting reporters to enter foreign countries, and of securing Customs facilities for the international exchange of sound records intended for broadcasting were also discussed. It was decided that before the question of conventions on these subjects could be considered, other technical organizations of the League which share the competence in this field should be consulted. The two questions will, therefore, be referred to the next meetings of the Committee for Communications and Transit, and the Economic Committee.

As to the second question, the Convention relating to the Circulation of Films of an Educational Character, it may be recalled that the application of this Convention was originally entrusted to the International Film Institute at Rome and that, subsequent to its withdrawal from the League last year, the Italian Government dissolved the Rome Institute. It was necessary therefore to find an alternative body to undertake these duties under the Convention. The Institute of Intellectual Co-operation, it was generally agreed, was the appropriate one for this work, and the Committee recommended to the Assembly that the Institute should be empowered to act in this capacity. The proposal was agreed to by the Assembly.

### *Housing*

The question of Housing has been before the various League organizations for a number of years and each time it has been discussed further work has been proposed by various delegations. The Eighteenth Assembly laid down a program of work which was entrusted to the Health Organization and the Committee of Statistical Experts. The discussion in a joint meeting of the Second and Seventh Committees on the subject of Housing showed a continued or even an increased interest in the subject and a great number of proposals for further studies were put forward.



Mr. Paul Martin described the difficulties with which the Canadian Government were faced because of the federal character of the Canadian constitution, but pointed out that in spite of these difficulties important steps had been taken in recent years to improve the standard of housing in Canada. He stated that the housing legislation had been designed primarily as an attack on unemployment by stimulating construction, although the social implications had not been overlooked. After describing the Canadian legislation briefly, he expressed the hope that the work that had been accomplished in the studies already prepared under the auspices of the League would be continued, and made several suggestions concerning the scope of further studies.

The various questions raised were obviously highly complex and will require a great deal of analysis and organization. The Committee pointed out in their report, however, that the public's demands are steadily increasing as conditions improve, and that there can hardly be any better justification for the work of the League in this field. In conclusion the Committee recommended a resolution to the Assembly approving the development of the work in urban and rural housing and suggesting the extension of studies of the financial aspects of town planning.

### *Nutrition*

The question of nutrition was also referred to the Second and to the Seventh Committees and discussed by them in a joint meeting. During the discussion the Committee was informed that, as a result of the recommendation of the Mixed Commission, National Nutrition Committees had been organized in nineteen countries. The increased interest of non-European Governments in the problem of nutrition was especially marked, and a number of suggestions were made by their delegations, that, in recommendations regarding dietetics, special attention should be paid to the protective foods available locally. This point was also made by the Canadian representative, Mr. Martin, who, in a brief statement to the Committee, said that the report of the Mixed Commission, in the view of the competent officers of the Canadian Government, remained the most complete general summary of the subject available. He referred to the relation between agriculture and nutrition and to the opinion of the Commission that agriculture tends to gain from improvements in nutrition. He hoped that it would be possible to extend the study of the relationship between agriculture and nutrition to overseas countries.

The Committee also noted that a meeting of representatives of National Nutrition Committees was to be held at Geneva in October and in this connection a number of delegations commented that the real nature of the people's diet, even in the most advanced countries, is still not well known and that it might be hoped that, through the meeting of the National Nutrition Committees, assistance could be given to the technical officers of the League in the conduct of an inquiry as a basis for future recommendations.

### APPROVAL BY THE ASSEMBLY OF THE COMMITTEE REPORTS

With the exception of the reports on budgetary questions, modern means of spreading information in the cause of peace, and the modification of the unanimity rule under Article XI of the Covenant, all the Committee reports were approved and the resolutions accompanying them adopted in plenary session of the Assembly without discussion.

The report of the Fourth Committee on financial questions was adopted unanimously after a slight amendment had been added limiting to one year the discontinuance of the right of League officials to receive the "present value" of an annuity under the Pensions Fund Regulations.

In connection with the report of the Seventh Committee on the Modern Means of Spreading Information in the Cause of Peace, the President read a

letter from the Spanish Delegation in which it was explained that the Spanish Government could not approve the draft resolution embodied in that report, as that draft resolution recognized to some extent a *fait accompli* on the part of the Italian Government when it abolished the International Educational Cinematographic Institute in Rome, in violation of the obligations which it had freely undertaken. For that reason the Spanish delegation would abstain from voting in the Assembly.

The resolution of the Sixth Committee providing that, in dealing with disputes brought before the League under paragraph 1 of Article XI the votes of the parties to the dispute should not be counted, was not adopted, Hungary and Poland voting against the proposal.

## SIGNATURE OF PROTOCOL RESPECTING THE SEPARATION OF THE COVENANT FROM THE TREATIES OF PEACE

In accordance with the resolution of the Sixth Committee, approved by the Assembly, the President announced that the Protocol respecting the Separation of the Covenant from the Treaties of Peace was open for signature in the Assembly Hall. Delegates representing twenty-seven States Members of the League came to the table and signed the Protocol.

## ADJOURNMENT OF THE SESSION

In view of the general political situation prevailing on the morning of September 30th when the Assembly completed consideration of the subjects on its Agenda, it was decided, on the proposal of the General Committee, that the Assembly should not be closed but should be adjourned.

The President, Mr. de Valera, in a brief address, summarized the work which had been accomplished during the session and declared the Assembly adjourned.

ERNEST LAPOINTE

HUME WRONG

JOSEPH T. THORSON

PAUL MARTIN

NELLIE McCLUNG









EA  
R21

League of Nations

REPORT  
OF THE  
CANADIAN DELEGATES  
TO THE  
TWENTIETH ASSEMBLY OF  
THE LEAGUE OF NATIONS

GENEVA

December 11th-14th, 1939



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1940

Price, 10 cents





CANADA  
R21

REPORT  
OF THE  
CANADIAN DELEGATES  
TO THE  
TWENTIETH ASSEMBLY OF  
THE LEAGUE OF NATIONS

---

GENEVA

December 11th-14th, 1939



OTTAWA  
J. O. PATENAUDE, I.S.O.  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1940

## TABLE OF CONTENTS

	PAGE
Convocation and Opening of Assembly.....	3
Organization of the Assembly.....	3
Appeal of the Finnish Government.....	4
Presentation and Soviet Reply.....	5
Dispute referred to Assembly.....	5
Appointment of Special Committee.....	5
Proceedings and Report of Special Committee.....	6
Demand for the Exclusion of the U.S.S.R.....	8
Adoption of Report by Assembly.....	9
Proceedings in the Council.....	11
Budgetary and Administrative Questions.....	11
Financial Situation of the League.....	12
The Budget for 1940.....	12
Allocation of League Expenses.....	14
Exceptional Measures.....	14
Other Questions.....	15
Co-operation in Economic and Social Affairs.....	15
Election of Members of Council.....	16
Adjournment of the Session.....	16



# Report of the Canadian Delegates to the Twentieth Ordinary Assembly of the League of Nations

---

GENEVA, January 4, 1940.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned delegates, appointed to represent Canada at the Twentieth Ordinary Session of the Assembly of the League of Nations, have the honour to report that the Assembly met at Geneva from the 11th to the 14th December, 1939. September 11 was originally the date set for the opening of the Assembly, but at the commencement of hostilities the Session was postponed indefinitely with the consent of a majority of Member States. It was later agreed that, in place of holding the Assembly, the Fourth Committee of the Nineteenth Assembly (which had adjourned but not closed its Session on September 30, 1938) should meet in Geneva on December 4 in order to examine the budget of the League of Nations for 1940 and ancillary questions. On December 3, however, the Government of Finland requested the Secretary-General forthwith to summon a meeting of the Council and Assembly in order to consider the situation arising from the invasion of Finland by armed forces of the Union of Soviet Socialist Republics. The Secretary-General, pursuant to this request and after consultation with the President of the Nineteenth Assembly, convened the Assembly for December 11.

Forty-three States Members of the League of Nations were represented. Five States Members which have given notice of their withdrawal from the League, Albania, Chile, Hungary, Peru and Spain, did not nominate delegations, although Venezuela, which has also given notice of withdrawal, sent a delegation. In addition no delegates were present from Czecho-Slovakia, Panama and the Union of Soviet Socialist Republics.

The proceedings of the Assembly were opened by the President of the Council, Count Carton de Wiart of Belgium. He said that the Assembly would have to examine certain questions which had been on its agenda for some time as well as the appeal of the Finnish Government. In view of the difficulties of the time, there was a feeling among delegates that formalities should be reduced to a minimum and that the work should be performed in as short a time as possible.

## ORGANIZATION OF THE ASSEMBLY

Mr. C. J. Hambro, President of the Norwegian Storting, was elected President of the Assembly. In inviting him to occupy the presidential chair, Count Carton de Wiart said that in existing circumstances he did not propose to follow the usual custom by which the President of the Council briefly addressed the Assembly on the state of the world; since the League was born from the suffering of mankind, it had never been through darker hours; we must believe that dawn would come and must meanwhile keep alight the torch, especially by maintaining the technical activities of the Secretariat and the work of the International Labour Office and the Permanent Court of International Justice.

Mr. Hambro, on assuming the chair, said that the Assembly had met to deal with the appeal of a Member State which, threatened by another Member State, was defending its freedom with impressive heroism. Although it was a critical hour for international co-operation, there was evidence that magnanimity among nations was still a force in the world. The Assembly must not disappoint the expectations of a small nation in distress; it must act with caution and foresight so as to be the starting point for new hopes.

The first delegates of Belgium, Canada, Egypt, France, Greece, Portugal, Switzerland and the United Kingdom were elected Vice-Presidents of the Assembly, to form with the President and the Chairmen of the chief committees the General Committee of the Assembly.

The Assembly, on the proposal of the General Committee, decided to adopt the following agenda:—

1. Dispute between the Union of Soviet Socialist Republics and Finland: Appeal of the Finnish Government.
2. Election of Non-Permanent Members of the Council.
3. Budgetary and Administrative Questions: Report of the Fourth Committee.
4. The Development of International Co-operation in Economic and Social Affairs: Report of the Special Committee.

This took the place of the agenda which had been prepared in accordance with the rules of procedure and circulated to Member States some time before the outbreak of war. The consideration of all other questions on the original agenda was postponed. It was agreed to defer the general election of the Members of the Permanent Court of International Justice; under the Statute of the Court, the present judges will continue to discharge their duties until their places are filled. The Assembly decided that it would not discuss political questions other than the question placed on its agenda.

The Assembly set up a committee, containing members from all delegations, to be charged with the examination of the fourth item on the agenda. A smaller Special Committee was appointed to consider the Finnish appeal. The Fourth Committee had already met on December 4 and had almost completed its work before the opening of the Assembly. The committees which considered the questions on the agenda were therefore as follows:—

Committee for the Examination of the Report on the Development of International Co-operation in Economic and Social Affairs, with M. Maurice Bourquin (Belgium) as Chairman.

Committee on Budgetary and Administrative Questions (Fourth Committee), with Count Carton de Wiart (Belgium) as Chairman.

Special Committee on the Appeal of the Government of Finland, with M. Caeiro da Matta (Portugal) as Chairman.

The Canadian Delegation, which consisted of Mr. Hume Wrong, Permanent Delegate of Canada to the League of Nations, and Mr. A. V. Rive, Secretary of the Permanent Delegation of Canada to the League of Nations, was represented on the General Committee, the Committee on the Finnish Appeal and the Fourth Committee by Mr. Wrong, and on the Committee on International Co-operation in Economic and Social Affairs by Mr. Rive, who also acted as substitute member of the Fourth Committee.

## THE APPEAL OF THE FINNISH GOVERNMENT

### *The Presentation of the Appeal and the Soviet Response*

The appeal of the Finnish Government was presented in a letter addressed to the Secretary-General on December 3 by M. Rudolf Holsti, Permanent Delegate of Finland to the League of Nations. This letter stated that on the morning of November 30 the U.S.S.R., with which Finland had long maintained neighbourly relations and had concluded a Pact of Non-aggression, had attacked Finnish frontier positions and open towns. The Soviet Government had both denounced the Pact of Non-aggression with Finland and had refused a Finnish proposal for mediation by a neutral power. The Finnish Government in

consequence requested the Secretary-General, in virtue of Articles 11 and 15 of the Covenant, to summon forthwith a meeting of the Council and Assembly and to ask them to take steps to end the aggression.

The Secretary-General telegraphed the text of the Finnish appeal on the day of its receipt to all Member States and requested the Members of the Council to meet in Geneva on December 9. He suggested that the Assembly should be convened on December 11, this date being later confirmed.

The Soviet Government answered the Secretary-General's telegram on December 4. M. Molotov stated in his reply that his Government considered the proposal to convene the Council and Assembly unjustified; the Soviet Union was not at war with Finland and had not threatened the Finnish nation with war; it was maintaining peaceful relations with the Democratic Republic of Finland, with which a pact of assistance had been signed on December 2; the Democratic Republic of Finland had asked the Soviet Government to assist them in liquidating as soon as possible the very dangerous seat of war created in Finland by its former rulers; the persons whom M. Holsti represented could not be regarded as mandatories of the Finnish people; if the Council and Assembly were convened at his request, the Soviet Government would be unable to take part in the proceedings; M. Holsti's letter to the Secretary-General was full of insults and calumnies against the Soviet Government and was incompatible with the respect due to the U.S.S.R.

#### *Dispute referred to Assembly by Council*

Normally the Finnish appeal would have been considered by the Council under Articles 11 and 15 of the Covenant. At the meeting of the Council on December 9, however, M. Holsti requested that the dispute should be referred by the Council to the Assembly in accordance with Paragraph 9 of Article 15, which provides for such a reference at the request of either party. By Paragraph 10 of the same Article the action and powers of the Council in such circumstances are transferred to the Assembly.

#### *Appointment of Special Committee of Assembly*

The Assembly, being thus seized of the dispute, appointed a Special Committee to consider it, after hearing a presentation of the Finnish case by M. Holsti. M. Holsti thanked States Members for the celerity with which they had answered the appeal. Soviet aggression had aroused worldwide indignation. The Soviet representatives in former Assemblies had constantly denounced aggression, declaring that it could in no circumstances be justified. He quoted extracts from a speech by M. Litvinof in the 1937 Assembly urging the League to take collective action against aggressor States. The principles professed by the Soviet Union must not be forgotten in judging their action against Finland. They now even claimed that Finland should not be allowed to present her case to the League because they had created a puppet government in a Finnish frontier village; yet the Soviet delegate in the Assembly of 1937 had declared that any assistance given to rebels against a lawful government was a flagrant violation of international law. The principles enunciated by the Soviet Government at successive Assemblies now rebounded upon themselves. Sympathy for Finland and condemnation of the Soviet Government, however, were not enough. Finland was fighting for her life as well as for the highest ideals. She was entitled to expect assistance from all civilized nations. In requesting the Assembly to meet, the Finnish Government expected it to find means to transform the world's sympathy into active help.



On the conclusion of the Finnish delegate's address a Special Committee composed as follows was appointed to consider the appeal:—

M. Costa du Rels (Bolivia), Mr. Butler (United Kingdom), Mr. Wrong (Canada), Frakhry Pasha (Egypt), M. Paul-Boncour (France), Sir Muhammad Zafrulla Khan (India), Mr. Cremins (Ireland), M. Urbye (Norway), M. da Matta (Portugal), M. Unden (Sweden), Phya Rajawangsan (Thailand), M. Benavides (Uruguay) and N. Parra-Perez (Venezuela).

### *Proceedings and Report of the Special Committee*

The Special Committee, which sat in secret, at its first meeting on December 11 decided to address the following telegram to the Soviet Government:—

“The Committee set up by the Assembly, which is seized in virtue of Article 15 of the Covenant, addresses an urgent appeal to the Government of the U.S.S.R. and to the Finnish Government to cease hostilities and open immediate negotiations under the mediation of the Assembly with a view to restoring peace. Finland, which is present, accepts. Should be grateful if you would inform me before to-morrow (Tuesday) evening if the Government of the U.S.S.R. is prepared to accept this appeal and cease hostilities forthwith.”

M. Molotov replied on December 12 thanking the Committee for its kind invitation, but stating that the Soviet Government could not accept for the reasons set out in their telegram to the Secretary-General of December 4.

Paragraph 3 of Article 15 of the Covenant provides that the Assembly “shall endeavour to effect a settlement of the dispute.” The continued refusal of the Soviet Government to participate in the proceedings now made it necessary to proceed under Paragraph 4, by which, a settlement not having been effected, the Assembly was required to publish a report “containing a statement of the facts of the dispute and the recommendations which are deemed just and proper in regard thereto.” The rest of the meetings of the Special Committee were devoted to framing the report and recommendations which were adopted by the Assembly on December 14th.

The first section of the report contains a recital of the facts from the extension on October 5th by the Soviet Government of an invitation to the Finnish Government to exchange views on political questions to the recognition on December 2nd by the Soviet Government of the “Popular Government of Finland.” It is based on documents furnished by the Finnish delegation and official communiqués issued by the Soviet news agency. Where the facts are in dispute both the Finnish and Soviet versions are given. The chief events reviewed in this section are the negotiations between the two Governments which were carried on in Moscow from October 12th to November 13th, the frontier incident at Mainila on November 26th and the Soviet demands based thereon, the declaration of the Soviet Government on November 28th that they considered themselves no longer bound by their Treaty of Non-aggression with Finland, the rupture of diplomatic relations by the Soviet Government on November 29th followed immediately by the invasion of Finland on November 30th, the recognition by the Soviet Government on December 2nd of the “Popular Government of Finland” under the presidency of M. Kuusinen, and the rejection in Moscow of an offer of “good offices” by the United States which was accepted by Finland.

The second part of the report reviews the legal obligations binding the two Governments. In it the provisions of the following bilateral agreements between the U.S.S.R. and Finland are summarized: (1) the Treaty of Peace between Finland and the Soviet Union of October 14th, 1920, by which the

independence of Finland was recognized within the frontiers of the Grand Duchy of Finland; (2) a Convention of June 1st, 1922, limiting military forces and making other arrangements to ensure peace in a frontier zone between Lake Ladoga and the Arctic Ocean; (3) an exchange of notes of September 24th, 1928, appointing frontier commissioners empowered to deal jointly with any frontier incidents in the Karelian Isthmus; and (4) a Treaty of Non-aggression and Pacific Settlement of Disputes of January 21st, 1932, by which existing frontiers were guaranteed and comprehensive provision was made for the peaceful settlement of all issues. In 1934 the validity of this Treaty was extended to the end of 1945. In addition the report refers to the obligations of both countries under the Covenant of the League and the Pact of Paris of 1928, as well as under the Convention for the Definition of Aggression concluded in 1933 between the Soviet Union and various adjacent States. The purpose of this Convention was to define aggression as specifically as possible; it declared *inter alia* that the State which was the first to attack another State was the aggressor no matter what political, economic, military or other considerations were advanced; an annex specifically stated that neither the internal condition of a State nor its international conduct could justify an act of aggression against it. The third section of the report considers the attitude and acts of the two Governments in relation to the international commitments. It finds that at no stage in the dispute did the Finnish Government reject any peaceful procedure: they entered into negotiations at the request of the Soviet Government and offered to make territorial concessions; they proposed an enquiry into the Mainila incident by the frontier commissioners; they asked for the application of the conciliation procedure laid down by the Treaty of Non-aggression of 1932; they proposed neutral arbitration and accepted the United States Government's offer of good offices; they declared that they were ready to negotiate for the reciprocal withdrawal of troops in the Karelian Isthmus; after hostilities began, they attempted to propose through the Swedish Minister in Moscow the opening of fresh negotiations; finally they referred the matter to the League of Nations under Articles 11 and 15 of the Covenant.

On the other hand, the report finds that the attitude and acts of the Soviet Government were incompatible with their commitments: in spite of a guarantee of the existing frontiers they demanded the cession of Finnish territory; after the Mainila incident they proposed the unilateral withdrawal of Finnish troops from the frontier and ignored the Finnish proposal for a joint enquiry by the frontier commissioners; they declared that the Finnish Government's refusal to withdraw their troops was a menace to Leningrad and proceeded to denounce the Treaty of Non-aggression; they refused to apply the procedure of conciliation specified in that Treaty; they violated the Pact of Paris and Article 12 of the Covenant by attacking Finland in operations which constituted a resort to war under these instruments and an act of aggression under the Convention for the Definition of Aggression; finally by refusing to recognize the legitimate Government of Finland and by entering into relations with a so-called government of their own creation, they contravened not only the Covenant but also very definite obligations assumed under the Convention for the Definition of Aggression. The report concludes by stating:

"It follows from these findings that the Soviet Government has violated, not only its special political agreements with Finland, but also Article 12 of the Covenant of the League of Nations and the Pact of Paris."

The Special Committee appointed a drafting committee to frame recommendations. The proposals of the drafting committee were considered on December 13th and were adopted with certain amendments. They were in the form of a draft resolution of the Assembly. The first part of the resolution contains a condemnation of the action of the Soviet Government and an appeal

for assistance to Finland. The second part deals with the situation arising from the refusal of the Soviet Government to participate in the League proceedings. The text of the resolution is as follows:

"The Assembly

## I

Whereas, by the aggression which it has committed against Finland, the Union of Soviet Socialist Republics has failed to observe not only its special political agreements with Finland but also Article 12 of the Covenant of the League of Nations and the Pact of Paris;

And whereas, immediately before committing that aggression, it denounced, without legal justification, the Treaty of Non-aggression which it had concluded with Finland in 1932, and which was to remain in force until the end of 1945:

Solemnly condemns the action taken by the Union of Soviet Socialist Republics against the State of Finland;

Urgently appeals to every Member of the League to provide Finland with such material and humanitarian assistance as may be in its power and to refrain from any action which might weaken Finland's power of resistance;

Authorizes the Secretary-General to lend the aid of his technical services in the organization of the aforesaid assistance to Finland;

And likewise authorizes the Secretary-General, in virtue of the Assembly resolution of October 4, 1937, to consult non-member States with a view to possible co-operation.

## II

Whereas, notwithstanding an invitation extended to it on two occasions, the Union of Soviet Socialist Republics has refused to be present at the examination of its dispute with Finland before the Council and the Assembly;

And whereas, by thus refusing to recognize the duty of the Council and the Assembly as regards the execution of Article 15 of the Covenant, it has failed to observe one of the League's most essential covenants for the safeguarding of peace and the security of nations;

And whereas it has vainly attempted to justify its refusal on the ground of the relations which it has established with an alleged Government which is neither *de jure* nor *de facto* the Government recognized by the people of Finland in accordance with the free working of their institutions;

And whereas the Union of Soviet Socialist Republics has not merely violated a covenant of the League, but has by its own action placed itself outside the Covenant;

And whereas the Council is competent under Article 16 of the Covenant to consider what consequences should follow from this situation:

Recommends the Council to pronounce upon the question."

### *Demand for the Exclusion from the League of the U.S.S.R.*

Before the Special Committee had presented its report to the Assembly, several Governments had taken the position that the Soviet Union should be excluded from the League of Nations under Paragraph 4 of Article 16 of the Covenant. This paragraph states that any Member which has violated any covenant of the League "may be declared to be no longer a Member" by the unanimous vote of the Council. Throughout the proceedings no suggestion was



made that the sanctions provided for in the first three paragraphs of Article 16 should be applied against the Soviet Union, and all the speakers who referred to these provisions held that these clauses relating to sanctions were inoperative in present circumstances. Although the exclusion of a Member State is a matter for the Council alone to decide, any delegation was free to express their opinion of what the Council's decision ought to be.

Before the meeting of the Assembly the Foreign Ministers of Argentina and Uruguay had telegraphed to the Secretary-General taking the position that the Soviet Union should be expelled. On December 13 the Argentine Delegate, M. Freyre, gave at a Plenary Session of the Assembly a lengthy review of the attitude of his Government. After declaring the continued faith of the Argentine Government in the ideals of the League and referring to the position which they had assumed in other cases of aggression, he said that, though the League had lost all coercive force, there was still one gesture which it could not refuse to make unless it was prepared to resign its functions in a spirit of suicidal defeat—that gesture was the exclusion from its midst of a Member who had repudiated without the slightest scruple the essential principles of the League. He concluded by stating that the Argentine Republic could no longer consider itself a Member of the League as long as the Soviet Union was able to claim that title.

#### *Adoption by Assembly of Special Committee's Report*

The report of the Special Committee was considered by the Assembly at a Plenary Session on December 14. The first speaker was *M. da Matta* (Portugal) who strongly condemned the Soviet action in Finland and previous Soviet activities in Spain and Poland; he supported the position taken by the Argentine delegate and expressed the hope that the Council would expel the Soviet Union from the League.

*M. Tello* (Mexico), after expressing the sympathy of his Government with Finland, said that he supported the report of the Special Committee and the draft resolution but could not approve the expulsion of the U.S.S.R. from the League; he regarded this as an extreme sanction which had not been applied in previous cases of aggression; its adoption would prevent a settlement later being reached within the framework of the League.

*Sir Muhammad Zafrulla Khan* (India) in an eloquent speech gave a careful review of the history of the dispute stage by stage and noted that not one word had been said during the proceedings in defence or mitigation of the action of the Soviet Government; paying a tribute to the Finnish people, he pointed out the moderation of the Finnish request for assistance even in the time of her anguish; he urged the passage of the resolution.

The Delegate of Ecuador also spoke in favour of the adoption of the resolution.

*M. Rappard* (Switzerland) read a declaration of the Swiss Federal Council expressing sympathy and admiration with Finland and stating that the Swiss delegation would abstain from voting on the resolution solely because of the decision of the Council in May, 1938, recognizing the complete neutrality of Switzerland within the framework of the League. *M. Rappard* added that the Swiss delegation was convinced that the assistance of the technical services of the Secretariat in the organization of assistance to Finland would not involve any activity incompatible with Swiss neutrality.

*M. Champetier de Ribes* (France) said that *M. Paul-Boncour* would speak in the Council on the Finnish question and its relation to the general situation

of the world; he only wished to say in the Assembly that the French delegation supported the resolution and to pay a tribute to the spirit of collaboration and understanding shown in framing it.

*Mr. Butler* (United Kingdom) said that the report and resolution had the full support of the United Kingdom delegation; they contained practical suggestions for aiding Finland, and set forth the guilt of the aggressor in an indictment which could not be more formidable or more conclusive. The sober narrative of the report provided an interesting contrast with the propaganda spread about in certain countries, the technique of which was becoming as familiar as the technique of aggression. The aggression against Finland was the latest link in the chain of aggression in Europe, following the German attacks on the Czechs and Poles. It had aroused the indignation of almost every country in the world; it was significant that the resolution authorized the Secretary-General to enlist the co-operation of Non-Member States. That part of the resolution promising aid to Finland followed the principles advocated at the last Assembly by the United Kingdom delegation, that there should be no automatic obligation to apply sanctions even when a breach of the Covenant had been established; the obligation would remain, however, to consult with other Members and to take what steps were possible to aid the victim, each State being the judge of its own participation. Mr. Butler assured the Assembly that the Government of the United Kingdom, despite the heavy burden imposed on them by the war, would not excuse themselves from helping Finland as much as possible; certain steps had already been taken to provide the Finnish Government with material. The second part of the resolution invited the Council to draw the obvious conclusions from the report. The Soviet Union had openly flouted the Covenant. Although the integral fulfilment of the obligations of the Covenant was made difficult by the absence of important States, the Members remained the guardians of its principles and standards to the fullest extent in their power.

*Mr. Gralinski* (Poland) said that his country had a special right to make her voice heard. The Poles and the Finns had fought a bitter struggle for freedom. Finland was an example of a well-governed country and a model member of the international community. She was now the victim of barbarous aggression. Poland, which was the first country to have the courage to oppose the march of terror and destruction, could not fail to sympathize deeply in the time of her own martyrdom. The Polish Government supported the resolution and had no doubt that the Council would refuse to tolerate the presence of the Soviet Union in the League. The help of free nations for Finland would be help in the continuing struggle against aggression and barbarism.

The delegates of the Netherlands and Belgium declared their understanding that the authorization given in the resolution to the Secretary-General to lend the aid of the technical services of the Secretariat to help in organizing aid for Finland should not be considered as a collective action of the League of Nations; subject to this observation they would vote for the resolution.

*Mr. Unden* (Sweden) made a declaration on behalf of the Swedish, Danish and Norwegian delegations. He stated that these countries had collaborated closely with Finland in a firm resolution to keep apart from all alliances and groups of great powers. The aggression against Finland had nowhere aroused deeper emotion than in the other Northern countries, which could confirm that part of the report setting forth the efforts of Finland to avoid a dispute with the Soviet Union. The three delegations declared that they made every reservation in so far as the resolution involved any measure coming within the scope of the system of sanctions. They expressed the profound conviction that Finland would regain peace with her independence and liberty unimpaired.

*Mr. Feldmans* (Latvia) on behalf of the delegations of Latvia, Estonia and Lithuania said that the three delegations had taken no part in the discussion and would also abstain from voting.

*M. Wellington Koo* (China) said that under the circumstances which all present knew, the Chinese delegation would abstain from taking part in the vote.

The delegate of Bulgaria also stated that he would abstain.

The President said that he considered it unnecessary to take a vote by roll-call. The Assembly had taken note of all the statements made before it. He asked those opposed to the resolution to stand. Since no one stood, the Assembly took note of the statements, approved the report, and unanimously adopted the resolution.

*M. Holsti* (Finland) expressed to the Assembly the profound gratitude of the Finnish people. The results achieved, in the short space of three days, corresponded in the main to what Finland expected, and showed that the League's fundamental principle was still alive and strong. What was to follow would depend primarily on two factors: the technical organs of the Secretariat and the readiness of the civilized world to bring help to Finland. The competence of the Secretariat could be relied upon and the desire of civilized peoples to assist Finland was manifest.

### *Proceedings in the Council*

The Council met on the afternoon of December 14th to consider the action which should be taken under the second part of the resolution adopted by the Assembly. The President, *M. Costa du Rels* (Bolivia), laid before the Council a draft resolution as follows:

"The Council,

Having taken cognisance of the resolution adopted by the Assembly on December 14th, 1939, regarding the appeal of the Finnish Government,

1. Associates itself with the condemnation by the Assembly of the action of the Union of Soviet Socialist Republics against the Finnish state, and

2. For the reasons set forth in the resolution of the Assembly, in virtue of Article 16, paragraph 4 of the Covenant, finds that by its act the Union of Soviet Socialist Republics has placed itself outside the League of Nations.

It follows that the Union of Soviet Socialist Republics is no longer a Member of the League."

After a short discussion the resolution was adopted unanimously, the representatives of Greece, Yugoslavia and China abstaining, and also the representative of Finland as a party to the dispute.

### BUDGETARY AND ADMINISTRATIVE QUESTIONS

It was mentioned above that, before the Assembly was convened to consider the Finnish appeal, arrangements had been made for a meeting of the Fourth Committee of the Nineteenth Assembly in order to examine the state of the League's finances and the budget for 1940. The Committee duly met in Geneva on December 4th. The report and the accompanying resolutions were presented to the Assembly on December 14th and were unanimously adopted without discussion.



### *Financial Situation of the League*

The Fourth Committee had before it the report of the Auditor and a series of reports and proposals of the Supervisory Commission, which is charged with the supervision of the finances and administration of the League. These documents, together with the explanations offered to the Committee by the Chairman of the Supervisory Commission and the Secretary-General, revealed the deterioration in the financial situation of the League and suggested certain measures which it would be necessary to take.

For several years ending with 1937, the League's finances were in a flourishing condition and the annual accounts showed a surplus of receipts over expenditures. The accounts for 1938 closed with a very small deficit. Although expenditures have been kept well below the authorized credits, the accounts for 1939 will show a larger deficit. These deficits have been due to the failure of a number of Member States to pay their contributions, or to pay them in full, since the League budget is always framed so as to balance if all contributions are received. The main cause of the current need for economy is the decline in the number of League Members. For some years it has been a settled policy to stabilize the annual contribution of each Member at about the same figure; any reduction in the number of Members, therefore, involves a reduction in the budget approximately equal to the contributions of the States ceasing to belong to the League. Since late in 1937 seven States, including Italy and Spain from among the larger contributors, have given the required two years' notice of withdrawal from the League. The Italian notice became effective on December 10th and the notices of the other States will become effective on various dates in 1940 and 1941. In addition contributions are no longer assessed from Austria, Czecho-Slovakia and Ethiopia. In 1938 contributions were assessed from 58 States Members; in 1939 the number was 54; it will be 49 in 1940.

At the Assembly of 1938 a considerable contraction of the League's income could be foreseen, and a small Committee on Budgetary Economies was appointed to make proposals for incorporation in the budget for 1940. This committee recommended a reduction of about 20 per cent in the budget and considered that it was essential that the budget should be kept elastic in order to enable expenses to be limited to the sums actually received. A budget was drawn up in May, 1939, incorporating the recommendations of the Committee on Budgetary Economies and was circulated to Member States. After the outbreak of war, however, it became obvious that still further reductions would have to be made. The Supervisory Commission met and recommended that a revised budget should be prepared limiting expenditure in 1940 to approximately two-thirds of that authorized in the 1939 budget. Effect was given to this recommendation in the budget adopted by the Assembly.

### *The Budget for 1940*

The expenditure budget for 1940 amounts to 21,451,408 Swiss francs, which is 33·4 per cent less than the authorized budget for 1939. For convenience of comparison the estimates for 1939 and 1940 and the expenditure actually incurred in 1938 are given in Swiss francs in the following table:

	Estimates		Expenditure 1938
	1939	1940	
Secretariat.....	16,183,063	10,771,957	13,565,610
I.L.O.....	8,394,243	6,351,600	8,179,460
Permanent Court.....	2,839,659	2,383,638	2,661,703
Pensions.....	1,710,118	1,563,476	1,619,231
All other.....	3,101,899	380,737	2,154,084
<b>TOTAL.....</b>	<b>32,234,012</b>	<b>21,451,403</b>	<b>28,180,088</b>

The figures for 1940 represent the authorized expenditures for that year. The League's income, however, will only reach this total if all Member States pay their contributions in full. In present circumstances this is not at all likely to occur; and in any event the exclusion of the U.S.S.R. from the League after the adoption of the budget has already reduced the League's income in 1940 by 11½ per cent of the income budget. The report of the Fourth Committee noted that it would be necessary to keep current expenditures substantially below the level of the authorized credits. The report also directed attention to the statement of the Secretary-General to the Committee that the budget had been adjusted to wartime conditions as far as possible and that the operation could not in his view be repeated.

The budget of the Secretariat has been reduced by 33·4 per cent involving a very considerable diminution in staff. The services chiefly occupied with political questions have been drastically cut down; far the greater part of the current expenditure arises from the work of the Secretariat in the social and economic field. The budget of the International Labour Office has been cut by 24 per cent, and this also involves the suppression of a large number of posts. The budget of the Permanent Court of International Justice has been reduced by 15·3 per cent, chiefly because the President and Members of the Court have voluntarily accepted a reduced scale of salaries. The remainder of the economies in the 1940 budget have been effected by eliminating expenditures on various activities. The heading "All other" in the table given above includes for 1940 only the sums necessary for the maintenance of the Permanent Central Opium Board and the Office of the League High Commissioner for Refugees, together with a small vote for the League's wireless station.

The Fourth Committee took note with appreciation of the response of the staff of the Secretariat and International Labour Office to an appeal to them to make a voluntary contribution from their salaries. This contribution will vary from 2 per cent in the case of officials receiving the lowest salaries to 20 per cent from those in the highest grades. The sums so raised will be used for the benefit of the international organizations.

In view of the inevitable restriction in the activities of the League consequent upon the outbreak of war, it was considered desirable that there should be a reduction in 1940 in the value of the unit of contribution, which had for some years been kept stable at approximately 22,800 gold francs. Under the budget for 1940 the value of the unit will be 18,560 gold francs. Since Canada is allotted 35 units of contribution, the Canadian contribution in 1940 will be 649,633 gold francs as compared with about 780,000 gold francs in 1938 and 1939.

The discussion of the budget in the Fourth Committee was less protracted and contentious than usual. After the Secretary-General and the Chairman of the Supervisory Commission had reviewed the state of the League's finances

and explained the proposals before the Committee, only five delegates took part in the general discussion. The delegate of the United Kingdom (Sir Cecil Kisch) informed the Committee of statements recently made in the British Parliament affirming the continued moral, political, and financial support of the League by the Government of the United Kingdom; he said that his Government in order to assist in meeting the financial difficulties, would in 1940 pay their full contribution in one instalment as early as possible in the financial year, in place of paying in two instalments as heretofore; he expressed the hope that other Governments would follow this example.

The views of the Canadian delegation were expressed by Mr. Wrong who paid tribute to the patience and ingenuity of those responsible for the difficult task of reducing the League's expenditures. He said that the Canadian Government felt that each Member's contribution to the League was a very small proportion of their national budget; Canada valued highly the work of the League and International Labour Organization, especially in the social and economic field, and would continue to pay a full share of the cost so long as the work was satisfactorily performed; he would bring to the notice of his Government the intention of the United Kingdom Government to pay their contribution in one instalment early in the year, and would suggest that if possible Canada should take similar action in 1940; in the event that it should unfortunately prove necessary to reduce League expenditure still further, the Canadian Government considered that the scope of activities should be diminished rather than that the efficiency with which the activities were carried on should be impaired.

The budget of the International Labour Office was introduced in the Committee by Mr. Phelan, the Acting Director, who reviewed the activities of the International Labour Organization and the important part which they played in the industrial relations of Member States. He explained the delicate financial connection between the League of Nations and the International Labour Organization and the steps which had been taken to reach agreement on the terms of the reduced budget. He eloquently appealed to all governments to provide the financial support necessary to keep the International Labour Organization alive. The delegates of the United Kingdom and of France expressed the strong interest of their Governments in the maintenance of the activities of the Organization and their readiness to pay their share of its costs. For the first time representatives of the Employers and Workers on the Governing Body of the International Labour Office attended a meeting of the Fourth Committee, in the persons of Mr. Oersted and Mr. Hallsworth. In addressing the Committee, both emphasized the deep concern of those whom they represented that the necessary financial support should be forthcoming.

#### *Allocation of League Expenses*

The scale of allocation of League expenses had been reviewed by a small Committee appointed by the Nineteenth Assembly. In their report this Committee recommended the continuance of the present scale for the three years 1940, 1941, and 1942, subject to a few minor modifications. The report had been prepared some time before the outbreak of war, and in view of the change in circumstances the Fourth Committee agreed that the proposed scale should be adopted for the year 1940 only and that the General Committee of the Assembly should be asked to appoint an Allocations Committee which might propose changes in the scale of 1941. The Assembly concurred in these proposals.

#### *Exceptional Measures*

By a resolution of the Nineteenth Assembly, the Supervisory Commission had been endowed with special powers to make decisions on administrative and financial questions in the event of an emergency. These powers were brought



into effect by the President of the Assembly on September 2nd, 1939, and under them a number of questions which would ordinarily have been brought before the Assembly had already been decided by the Supervisory Commission. It was agreed that it was necessary to extend this emergency régime until the next meeting of the Assembly. The Assembly also confirmed the action of the Supervisory Commission in adding to its membership Count Carton de Wiart (Belgium) and M. Colijn (Netherlands).

#### *Other Questions*

The Fourth Committee approved proposals made by the Special Committee on Contributions for the cancellation of the debt to the League of certain States. The Committee was reappointed for another year by a resolution of the Assembly in which the hope was expressed that States Members would, in spite of present difficulties, testify their attachment to the League by the prompt and early payment of their contributions for 1940.

The Fourth Committee also considered at some length the conditions which should be adopted in dispensing with the services of League officials, and made a number of proposals which were approved by the Assembly for the amendment of the Staff Pensions Regulations.

### CO-OPERATION IN ECONOMIC AND SOCIAL AFFAIRS

A Special Committee to examine the development of international co-operation in economic and social affairs was set up by the Council in May, 1939, under the Chairmanship of Rt. Hon. Stanley M. Bruce. The Assembly appointed a committee on which all delegations were represented to consider the report of the Special Committee.

The Bruce Report reviews the economic and social work of the League in its broadest sense, stresses its importance, and points out the desirability of maintaining and improving co-operation with non-member States in this field. The main proposal of the report is the creation of a Central Committee for Economic and Social Questions which would direct and supervise the economic and social work. It would appoint the members of the various standing technical committees and set up new committees where necessary. This proposed Central Committee would consist in part of representatives of Member States, but a number of seats would be set aside for non-official members sitting in a personal capacity; this would allow the representation of non-member States and the inclusion in the Committee of experts whose advice would be helpful. The Central Committee would also examine the budget for economic and social work before its submission to the Supervisory Commission and to the Assembly.

The objects sought by the Report are to bring all the League's economic and social work under effective and representative supervision and to provide more co-ordinated direction. It was felt by the Bruce Committee that this would add fresh vigour and efficiency to the work and bring it into greater prominence, since it would not be overshadowed, as sometimes happens in the Council or Assembly, by questions of international policy.

The committee of the Assembly held a discussion on the Report in which various delegations expressed the views of their Governments. The Canadian Delegate (Mr. Rive) said that the Canadian Government welcomed any initiative which might tend to increase the collaboration of countries of the New World in the social and economic work of the League, which the Canadian Government regarded as most important. He supported a proposal that representatives of the Workers' and Employers' groups on the Governing Body of the International Labour Office should be named to the Central Committee, since this would help to ensure a close connection between the work of the League in this field and that of the International Labour Organization. After

a number of suggestions had been made, the Committee unanimously approved the action proposed and submitted a draft resolution to the Assembly endorsing the Report and requesting the General Committee to take the most appropriate steps for setting up the Central Committee.

The Assembly adopted this Resolution, and the question was duly referred to the General Committee which decided to set up an organizing committee. The organizing committee consists of representatives of Australia, Belgium, the United Kingdom, France, Netherlands, Norway, Portugal, Switzerland, Turkey and a Latin American State. It is hoped that the Central Committee on Economic and Social Questions may be constituted early in 1940.

#### ELECTION OF NON-PERMANENT MEMBERS OF THE COUNCIL

The terms of office of five non-permanent Members of the Council expired during the Assembly. These were Bolivia, China, Latvia, New Zealand and Sweden. Two of the seats, those held by China and Latvia, had been created in 1936 for a provisional term of three years and their renewal required the approval of the Council and Assembly.

In view of the exceptional circumstances, the Assembly decided to suspend for these elections the rule preventing re-election of a retiring Member of the Council without a previous declaration of re-eligibility by the Assembly, and also the rule requiring at least forty-eight hours' notice of all candidatures for seats in the Council and providing that the elections should not take place before the seventh day of the session. The Assembly then proceeded to fill the three regular seats by the election of the Union of South Africa, Finland and Bolivia, the re-election of which was proposed by all the Latin American delegates, and adopted a resolution approving the continuance of two provisional non-permanent seats for a further three years. The Council having concurred in this proposal, the Assembly on December 14 elected Egypt and China to the seats in question.

#### ADJOURNMENT OF THE SESSION

In view of the international situation, the Assembly decided on the proposal of the General Committee not to close its session but simply to adjourn. It also decided that the Secretary-General should be empowered to call together the General Committee of the Assembly, and that the General Committee should have authority to decide any question which the Supervisory Commission and the Secretary-General might submit to it. This proposal was adopted in order to permit major questions to be considered by a fairly representative body if it should not be found possible to hold a meeting of the Assembly or of the Council for a considerable time. The General Committee is composed of representatives of Belgium, Bolivia, Canada, Egypt, France, Greece, Norway, Portugal, Switzerland and the United Kingdom.

In declaring the Twentieth Assembly adjourned, the President said that delegates had been called to Geneva to take far-reaching and grave decisions; they had not met to pass judgment on any government or system of government, but to consider acts and to relate those acts to the principles of the Covenant; delegates had tried to act upon the principles of law and equity; they would leave the Assembly in grave anxiety for every nation, but with new hope because a Member State had applied to the League for assistance, and had not applied in vain; the development of international solidarity was the only possible road towards better international understanding; the Assembly had performed its task; delegates must hope that, when the Assembly met once more, it would be evident that the feeble efforts which they have made had not been entirely in vain.

H. H. WRONG

A. V. RIVE







CAI  
EA 71  
46C02

Government  
Publications

VIC

Government  
Publications

317

AUG 12 1946

DEPARTMENT OF EXTERNAL AFFAIRS

---

CONFERENCE SERIES, 1946

No. 2

REPORT  
OF THE  
CANADIAN DELEGATES  
TO THE  
TWENTY-FIRST ASSEMBLY OF  
THE LEAGUE OF NATIONS

---

GENEVA  
April 8th-18th, 1946



OTTAWA  
EDMOND CLOUTIER  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1946

PRICE 25 CENTS





DEPARTMENT OF EXTERNAL AFFAIRS

---

CONFERENCE SERIES, 1946

No. 2

REPORT  
OF THE  
CANADIAN DELEGATES  
TO THE  
TWENTY-FIRST ASSEMBLY OF  
THE LEAGUE OF NATIONS

---

GENEVA

April 8th-18th, 1946



OTTAWA  
EDMOND CLOUTIER  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
1946

WITHDRAWN FROM VICTORIA  
UNIVERSITY LIBRARY

## TABLE OF CONTENTS

---

	PAGE
Convocation and Opening of Assembly.....	5
Composition of Canadian Delegation.....	6
Organization of the Assembly.....	6
Discussion of the Secretary-General's Report.....	7
Declarations on Mandates.....	11
<b>Legal and General Questions:</b>	
Permanent Court of International Justice.....	12
Assumption by United Nations of Certain League Functions	13
The System of Mandates.....	13
International Assistance to Refugees.....	13
International Bureaux and Other Organizations.....	14
International Institute of Intellectual Co-operation.....	14
<b>Financial and Administrative Questions:</b>	
Financial Position.....	15
Staff Questions.....	16
Pensions Fund.....	16
International Labour Organization.....	17
Distribution of League Assets.....	18
Board of Liquidation.....	19
<b>Annexes:</b>	
A. Common Plan for the Transfer of League of Nations Assets Established by the United Nations Committee and the Supervisory Commission of the League of Nations.....	21
B. Extracts from Address made by Mr. Hume Wrong during the Discussion of the Report of the Acting Secretary-General on April 10, 1946.....	23





## REPORT OF THE CANADIAN DELEGATES TO THE TWENTY- FIRST ASSEMBLY OF THE LEAGUE OF NATIONS

---

OTTAWA, May 15, 1946.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned delegates, appointed to represent Canada at the Twenty-first and final Session of the Assembly of the League of Nations, have the honour to report that the Assembly met in Geneva from the 8th to the 18th April, 1946. The Twentieth Session of the Assembly had taken place in Geneva in December, 1939, and there was thus a gap of over six years during which no session of the Assembly could be held. The purpose of the Twenty-first Session, which was fully achieved, was to make provision for the dissolution of the League of Nations following the establishment of the United Nations. The General Assembly of the United Nations, at its first session in London early this year, had already approved the assumption by the United Nations of certain functions and activities carried out by the League, and also the transfer to the United Nations of the material assets of the League.

Since the Twentieth Session of the Assembly had not been formally terminated in 1939, the first action taken on April 8 was for the President of the Twentieth Session, Mr. C. J. Hambro of Norway, to declare that session closed. Mr. Hambro then announced that the Twenty-first Session had begun, and he was unanimously appointed President of the Twenty-first Session on the nomination of the last President of the Council, Mr. Costa du Rels of Bolivia.

Mr. Hambro spoke briefly to the Assembly, pointing out that the Assembly had a practical task to perform. He expressed the hope that the Assembly would find it possible to act in complete unity. It was, he said, a solemn occasion because the Assembly would be asked to declare that this, the Twenty-first Assembly of the League, was to be its last. "We shall try," Mr. Hambro said, "to accomplish our task with despatch and dignity".

Forty States Members of the League had received from the Secretary-General the notice of convocation of the Assembly, and of these thirty-four were represented by accredited delegates. Colombia accredited a representative as an observer, and later in the

session two representatives of the Austrian Government were also received as observers. The States Members which did not send delegations were Bulgaria, Ethiopia, Iraq, Liberia, and Siam.

The Canadian Delegation was composed as follows:—

Delegates: Mr. Hume Wrong, *Associate Under-Secretary of State for External Affairs*; Mr. A. Rive, *Counsellor in the Department of External Affairs*.

Adviser: Mr. G. L. Magann, *Counsellor of the Canadian Embassy, Paris*.

Secretary: Mrs. Alastair Napier.

#### ORGANIZATION OF THE ASSEMBLY

In accordance with the rules of procedure, the Assembly at its opening session appointed a Nominations Committee and a Credentials Committee, the Canadian Delegation being represented on the Credentials Committee. The Nominations Committee proposed that the First Delegates of the following countries should be Vice-Presidents of the Assembly: United Kingdom, Canada, China, France, Mexico, Poland, Switzerland, and Turkey. They also proposed that the Chairmen of the two main Committees which it was decided to set up should be Mr. Bourquin of Belgium (Committee on General Questions), and Sir Atul Chatterjee of India (Committee on Financial and Administrative Questions). These nominations were approved by the Assembly. The President, the eight Vice-Presidents, the Chairmen of the main Committees, together with the Chairman of the Credentials Committee (Mr. Costa du Rels of Bolivia) and the Chairman of the Nominations Committee (Mr. Beelaerts van Blokland of the Netherlands) constituted the General or Steering Committee of the Assembly.

The Assembly then adopted the provisional agenda, which had been prepared by the Secretary-General and circulated in advance, and assigned the relevant items to each Committee.

One item of the agenda related to the Council of the League. On the recommendation of the General Committee, the Assembly decided to dispense with elections to the Council and to assume itself such administrative and other responsibilities in connection with the dissolution of the League as would otherwise fall within the competence of the Council. The last elections to the Council had taken place in 1939, and it was agreed that there was no need to hold new elections and reconstitute the Council in the existing circumstances.



At the session of 1939, held after the outbreak of war, it had appeared unlikely that it would be possible to hold regular meetings of the Assembly or the Council during the course of hostilities. Provision was therefore then made by an Assembly resolution for the conduct of the affairs of the League without the necessity of calling the Assembly into annual session. This was done by vesting in the Supervisory Commission special powers to take, in its discretion, any administrative or financial measures or decisions which might appear to be necessary, acting in association with the Secretary-General and the Director of the International Labour Office.

The Supervisory Commission was a body of seven members elected by the Assembly to make recommendations on financial and administrative questions. During the war the Commission was able to meet regularly at least once a year, although it had to resort to the co-option of additional members to ensure the presence of a quorum at its meetings. Acting in place of the Assembly, it approved and presented to the States Members the Annual Budgets of the League for the years 1941 to 1946 inclusive. Apart from the Secretariat and the various agencies of the International Labour Organization, it was the only agency of the League which operated actively throughout the war.

The Supervisory Commission had been authorized in 1945 by States Members to undertake negotiations with the United Nations on their behalf, and it met in London with a committee appointed by the United Nations Preparatory Commission early in 1946. The "Common Plan" drawn up by these two bodies was approved by the General Assembly of the United Nations in February. It formed the basis for most of the principal decisions taken by the League Assembly at this Session. The text of this plan is reproduced in the first annex to this Report. In addition, the Supervisory Commission presented detailed proposals to the Assembly for the winding up of the League.

#### DISCUSSION OF THE SECRETARY-GENERAL'S REPORT

A score of delegates took part in the discussion of the Secretary-General's Report in Plenary Sessions of the Assembly. All were hopeful that the United Nations would carry on the work begun by the League. The theme of many of the speeches is contained in the Report of the Secretary-General, a paragraph of which was quoted in the Assembly by the delegate of Uruguay:—

"The new generation of builders and makers must not be misled into thinking that any defect in the ideals or organiza-

tion of the League of Nations was the cause of humanity's tragic failure. That failure was due rather to the statesmen and peoples of the League of Nations that contented themselves with lip-service, that could not face the lesser sacrifices to avoid the greater, and to those peoples and States which foolishly imagined they could be lookers-on. That will be the verdict of history, simplified though it may appear in the welter and tangle of international relations."

The discussion of the Report was opened by the Acting President of the Council, Mr. Costa du Rels, delegate of Bolivia, who recalled a statement made by him in June 1940 that the events of that time, however great a misfortune they bring, must not lessen faith and trust in certain principles of international co-existence. "We are going to transfer to the United Nations something more than a beautiful palace. We are going to transfer to them, together with the fruits of twenty-five years of effort and toil, a sacred trust, the redoubtable honour of preventing suffering and of men killing and hating each other".

The most notable speech was made by Viscount Cecil of Chelwood. All present had in mind his long years of devotion to the League of Nations and the principles for which it stood. He described his own speech as a few words of farewell to an institution with which he had been connected since its birth, and even before its birth. "The work of the League is plainly and unmistakably printed on the social, economic and humanitarian life of the world. But for the great experiment of the League, the United Nations could never have come into existence. There is no safety except in peace."

The delegate of China argued that the League, despite its imperfections, might have spared the world the tragedy of the last few years had it fulfilled the provisions of its Covenant properly during the Japanese aggression in north-eastern China in 1931. The delegate of Czechoslovakia, Mr. Kopecky, concurred in the views of the delegate of China that the failure of the League to take action against aggression in the Far East and later in Europe had weakened the League itself and had been the cause of its ultimate failure to preserve the peace.

The delegate of South Africa, Mr. Leif Egeland, expressed the view that the Secretary-General's Report was a vindication of the wisdom of the decision to carry on the non-political activities of the League, despite the crippling exigencies of the war years. He paid a tribute to Mr. Sean Lester, Secretary-General, and to Mr. Seymour Jacklin, the Treasurer, a tribute which was repeated by other speakers, including the delegate of Canada.

The address by M. Paul-Boncour, delegate of France, was received by the Assembly with the same attention as that paid to Lord Cecil's. After reciting some of the League's successes in maintaining peace, he recounted its major failures, and said, "May I recall that from this very rostrum at the time of Munich, M. Litvinov told us that in the opinion of his Government peace was indivisible?" M. Paul-Boncour saw in the United Nations Charter some important innovations. He called for the creation of an international armed force under the United Nations. In this he was supported by the delegates of Uruguay and Turkey.

The delegate of Switzerland, Mr. Petitpierre, reminded the Assembly that Switzerland in its special position as the seat of the League of Nations had collaborated closely in all the work of the League, and said that his country believed in the necessity of a truly democratic international organization, within which each country might assume a role compatible with its resources and its particular vocation. He expressed the hope that those States not members of the United Nations, which have established their loyal adherence to the international legal institutions created for the pacific settlement of disputes, might be allowed access at the earliest possible moment to the new International Court. In this hope he was joined by the delegate of Portugal.

The delegate of the Netherlands, Mr. Van Blokland, suggested three important reasons for the failure of the League: first, the lack of universality and especially the absence of the United States of America; secondly, the too great equality in the League between large and small States in the responsibility for the maintenance of international peace and security; and thirdly, the lack of solidarity among members of the League. An attempt was being made to remedy these first two defects in the new organization, although he thought one could not approve a system under which the possibility of resorting to coercive measures was conditioned by the requirement of unanimity among the Great Powers, so that no action would be taken when one of the Great Powers was the disturber of the peace.

The delegate of Canada, Mr. Hume Wrong, referred to the speeches delivered by Lord Cecil and M. Paul-Boncour, and said that Canada had faithfully supported the League of Nations from the first. The Report of the Secretary-General impressed one with the extent and variety of the work which had been accomplished during the war in spite of all difficulties. Canada had been one of the small group of States Members which, by paying their full contributions as they fell due, showed their belief that the League must survive through the years of war. The action of these Governments had been justified by events. If the League had died from neglect



it would have been considerably more difficult to establish the United Nations. "The United Nations is not the legal heir of the League, but it is its moral successor."

The Canadian delegate also spoke of the part played behind the scenes in the organization of the United Nations by the members of the Secretariat of the League. In the membership of all Great Powers the United Nations had an enormous advantage over the League, "but the question remains which, with greater justification, haunted the meeting rooms and corridors of Geneva: Have they the will to use their power to support the principles and procedures of the Charter?" He declared that the troubles of the world were not a question of the nature of the existing international machinery or the processes whereby issues were brought forward for discussion and settlement, whether in the Covenant of the League of Nations or the Charter of the United Nations. What the League of Nations, and what the United Nations could do, was what the States Members agreed should be done. More could not come out of an international organization than its members were ready to put into it. Extracts from the Canadian delegate's speech are contained in the second annex to this Report.

The delegate of India, Sir Khwaja Nazimuddin, said that he could not agree with those who felt they had come to the burial ceremony of the League of Nations. It was true that the experiment was not a complete success, but the United Nations were carrying on further research. The nations of India, he said, were standing on the threshold of independent sovereign status. India had supported the ideal of the League of Nations and would contribute its utmost to the success of the United Nations.

The delegate of Australia, Professor H. K. Bailey, saw no occasion for dirges, humiliation or repudiation. Notwithstanding the break in legal continuity between the League and the United Nations, the underlying process was in reality continuous and constructive; the international community had been given a new constitution in the Charter. Parallels could be found in the national history of many states. What stood out clearly was that without the achievement of Geneva, San Francisco could not have gone so far or so easily in laying down a constitution for the world community of the future.

The delegate of Greece, Mr. Agnides, said that Greece's attitude in the past would serve as a guarantee of the line of conduct that she will follow in the future. He expressed a general view when he said that he wished to say to Geneva, and above all, to the whole of Switzerland, that all who had spent, as he had done, long years among the courageous and honourable Swiss, would be conscious of

a deep sentiment of gratitude and admiration, especially for the constant example of good will, courage and high civic sense that they have set in good days as in bad.

#### DECLARATIONS ON MANDATES

In the course of the discussion of the Secretary-General's Report, the representatives of six countries holding mandates, the United Kingdom, South Africa, France, New Zealand, Belgium, and Australia, took the opportunity to make statements on the subject of their mandates. The delegates of two countries not Mandatory Powers, China and India, also made general statements of principle.

The statements made by the Mandatory Powers began with one by the United Kingdom delegate, Lord Cecil, who said that the system of mandates could be regarded as one of the principal landmarks in the evolution of world thought on the subject of non-self-governing countries. Two British mandates, Iraq and Transjordan, had now become independent sovereign states; the future of Palestine could not be decided until the report of the Anglo-American Committee of Enquiry had been received and studied; and the Government of the United Kingdom had already announced their intention of placing their remaining mandated territories under the trusteeship system of the United Nations. In the meantime it was the intention of the Government of the United Kingdom to continue to administer these territories and Palestine in accordance with the general principles of the existing mandates.

The delegate of France referred to Lord Cecil's statement and repeated the declaration made in London by the French Delegation to the United Nations to the effect that the French Government intended to continue the execution of the mandates in the spirit laid down in the Charter of San Francisco, and was ready to enter into agreements, as soon as the trusteeship system established by the United Nations Charter came into being, in respect of Togoland and the Cameroons.

The delegate of New Zealand, Mr. Knowles, said that in view of his Government the dissolution of the League of Nations did not diminish New Zealand's obligations to the inhabitants of Western Samoa and did not increase her rights in that territory. A similar declaration was made by the delegate of Belgium with regard to Ruanda-Urundi. He stated that his Government had declared its intention to open negotiations to place this territory under the trusteeship system and, in fact, had already drafted an agreement to this end.

The delegate of Australia said that the mandate system expressed one of the most significant ideas in the Covenant, that the well-being and development of peoples not yet able to stand alone formed a sacred trust of civilization. Although, with the dissolution of the League, it would not be possible to continue the mandate system in its entirety, the Government of Australia did not regard the dissolution of the League as lessening the obligations imposed upon it toward the inhabitants of mandated territories. In due course these territories would be brought under the trusteeship system of the United Nations.

The delegate of South Africa said that for twenty years, as one of the Mandatory Powers, South Africa had worked in close co-operation with the Mandates Commission. The Union Government had consulted the peoples of South-West Africa, both European and non-European, regarding the form which their own future government should take. On the basis of these consultations and having regard to the unique circumstances which differentiated South-West Africa, a territory contiguous to the Union, from all other mandates, it intended at the forthcoming session of the United Nations Assembly to formulate its case for according South-West Africa a status under which it would be recognized as an integral part of the Union. In the meantime, the South African Government would scrupulously adhere to the obligations of the mandate until other arrangements were agreed upon.

## LEGAL AND GENERAL QUESTIONS

### *Permanent Court of International Justice*

The Charter of the United Nations provides for a new International Court of Justice to be the principal judicial organization of the United Nations, and its judges were elected by the General Assembly in February. It was therefore incumbent on the Assembly, in providing for the dissolution of the League of Nations, to provide also for the dissolution of the Permanent Court of International Justice. To this end the Assembly passed a resolution setting forth that, as the Judges of the Permanent Court had resigned and as on the dissolution of the League no machinery would exist for the appointment of new Judges, the Permanent Court should for all purposes be regarded as dissolved from the day following the termination of the Assembly. The resolution, by a timely coincidence, was adopted on the day on which the new Court met for the first time at The League.



### *Assumption by United Nations of Certain League Functions*

The General Assembly of the United Nations had decided to assume, on the dissolution of the League, certain of the functions and powers belonging to the League under international agreements. In this connection the Assembly had before it documents relating to the powers and duties attributed to the League by treaties and a list of conventions which conferred powers on the organs of the League. They also had to consider certain activities of a non-political nature hitherto performed by the League which the United Nations had decided to assume.

In accordance with the view that the task of the Assembly of the League at its twenty-first session was to make the necessary provision to assist the United Nations in the assumption of these functions and activities, it was agreed that the transfer should be arranged in such a way that there should be no break or interruption in these functions and activities. While the officials of the League had been given notice terminating their employment on July 31st, the Assembly decided that if functions and activities in which they were engaged were not assumed by the United Nations on that date, the necessary number would be re-engaged temporarily until the completion of the work of liquidation and transfer.

### *The System of Mandates*

The Assembly had before them a resolution presented by the delegate of China expressing satisfaction at the way in which the organs of the League, and in particular, the Mandates Commission, had performed their functions with respect to the mandate system. The resolution took note of the expressed intention of the members of the League now administering mandates to continue to administer them for the well-being and development of the peoples concerned, in accordance with the obligations contained in the respective mandates, until other arrangements might be completed with the United Nations. This resolution was passed unanimously, but the delegate of Egypt abstained from voting and reserved his Government's position in view of Egypt's interest in the future of Palestine.

### *International Assistance to Refugees*

The discussion of the transfer to the United Nations of the work of the League for the assistance of refugees was introduced in Committee by a statement from the High Commissioner for Refugees, Sir Herbert Emerson, on the work of his office. The Committee noted with satisfaction that the Special Committee on Refugees established by the Economic and Social Council of the United Nations was at that moment sitting in London to examine the

problem of refugees and displaced persons, and that there were good prospects that a new international authority would be established under the United Nations for the protection of such persons. The Assembly felt it important that the League's work should be continued until such a time as the new organization was in a position to take over. The Assembly therefore decided on the prolongation of the term of office of the High Commissioner to the end of 1946 if necessary.

In the course of the discussion in Committee the delegates of Poland and Yugoslavia raised the question of the distinction between genuine refugees on the one hand and war criminals on the other, with particular reference to a recent resolution of the General Assembly of the United Nations on this subject. The High Commissioner for Refugees said that though technically he was not bound by this resolution, he had felt himself morally obliged to act in conformity with it.

#### *International Bureaux and Other Organizations*

The Assembly had before them a list of international bureaux and other organizations which had been brought into relation with the League, and adopted a resolution to the effect that these organizations should be notified of the termination of the League's relation to them. The report to the Assembly mentioned six such bureaux:

- The International Bureau for Information and  
Enquiries regarding Relief to Foreigners (Paris);
- The International Hydrographic Bureau (Monaco);
- The Central International Office for the Control of the  
Liquor Traffic in Africa (Brussels);
- The International Commission for Air Navigation (Paris);
- The International Exhibition Bureau (Paris);
- The International Relief Union (Geneva).

#### *International Institute of Intellectual Co-operation*

This Institute was placed at the disposition of the League of Nations by the French Government in December 1924. As a result of the dissolution of the League the Institute has lost its Governing Body, which consisted of the members of the League Committee on Intellectual Co-operation. Steps having been taken in November 1945 to set up the United Nations Educational, Scientific and Cultural Organization, it was understood by the Assembly that the International Institute of Intellectual Co-operation would be replaced by the new Organization. The Assembly therefore adopted a resolution addressing its thanks to the International Institute in Paris, and providing for the transfer to the United Nations of the

functions of the League in connection with the Institute as well as of contingent rights possessed by the League over certain assets of the Institute.

## FINANCIAL AND ADMINISTRATIVE QUESTIONS

### *Financial Position*

The Treasurer was able to report that during the war the expenses of the League, the International Labour Organization, and the Permanent Court of International Justice had been met from current contributions, except for a deficit amounting to approximately \$800,000 for which it had been necessary to draw on existing funds.

During the history of the League from 1919 to the end of 1945 contributions amounting to more than \$125,000,000 (512,815,000 Swiss francs) were received from Member States, out of which the activities of the Secretariat, the International Labour Organization, the Permanent Court of International Justice and other League agencies had been financed. When the contributions assessed for 1946 are added to this total, together with the payment of arrears promised by a substantial number of Member States, the gross cost of the League of Nations to its members, from beginning to end, will have amounted to between \$130,000,000 and \$135,000,000. Up to the end of 1945 over 90% of the contributions had been paid in full, special arrangements had been approved for the cancellation or composition of about 6%, and only 4% of contributions due were still outstanding. These figures will be improved upon by the payment of arrears during 1946.

From the gross cost of the League there should be deducted the value of the material assets to be transferred to the United Nations and credited to States Members of the League on its books; this will amount to rather more than \$11,000,000. In addition, it is likely that when the liquidation of the League is complete there will remain a surplus of liquid assets to be distributed in cash to member states. Thus the entire net cost of the League of Nations, the International Labour Organization and the Permanent Court of International Justice from their foundation until the end of 1946 should amount to about \$120,000,000, of which the Canadian share is in the neighbourhood of 6%.

It is notable that a considerable number of States Members which have been in arrears in their contributions have either taken steps or announced their intention of taking steps to discharge their obligations to the League before its liquidation is completed. During the session of the Assembly six delegations announced that payments



in respect of arrears had been made since the session opened and a further six delegations stated on behalf of their governments their intention to pay arrears in the near future.

### *Staff Questions*

Before the session began the Secretary-General had notified all members of the Secretariat that their contracts would terminate on the 31st July. (It is the intention to re-engage on a temporary basis those officials whose services are required in connection with the liquidation). The Assembly approved the payment of special indemnities to certain classes of officials not entitled to indemnities under their contracts; these special indemnities will be based on length of service and salary received and are intended to assist the employees concerned in establishing themselves in other occupations.

The Assembly decided not to give effect to certain judgments of the Administrative Tribunal, a body set up to pass upon claims relating to contracts and conditions of service of members of the Secretariat and I.L.O., which would have had the effect of substantially increasing the indemnities paid early in the war to certain officials. The contracts of these officials had been terminated pursuant to a resolution of the Assembly of 1939 because of the necessity of reducing staff and effecting economies in the period of the emergency. The Assembly also decided that no further action was required in connection with claims made by a few employees of the Governing Commission of the Saar territory before its incorporation in Germany.

In 1940, shortly after the Franco-German Armistice, the Secretary-General, Mr. Joseph Avenol, presented his resignation and since that date Mr. Sean Lester had acted as Secretary-General. No previous opportunity had arisen of confirming Mr. Lester in his appointment and the Assembly decided that Mr. Lester should be confirmed from the date of Mr. Avenol's resignation. Many tributes were paid to the work of Mr. Lester during the war in maintaining the structure and reduced functions of the Secretariat in the midst of the gravest difficulties. It is the intention that he should continue in office until the work of liquidation is completed within a few months.

### *Pensions Fund*

The Staff Pensions Fund was established to cover members of the Secretariat, the International Labour Office and officials of the Permanent Court. In order that the League should fulfil all its contractual obligations, it was necessary to make provision for the continuation of the Fund for the benefit of those already in receipt of pensions and of those currently contributing to the Fund. At

the time of the Assembly there were 189 contributors, of whom 108 were members of the International Labour Office, and 160 pensions were being paid by the Fund. The Fund is believed to be in a sound financial position since it was reinforced during the war by the transfer to it of the Reserve Fund of the League amounting to some eleven million Swiss francs. Since the Fund is operated in part for the benefit of members of the International Labour Office, it was decided by the Assembly, subject to the agreement of the International Labour Organization, to transfer the Fund to that body on the understanding that the I.L.O. would continue to pay the benefits due to retired officials of the Secretariat and the Permanent Court and their dependents. The Assembly also requested the International Labour Organization to accept responsibility for the administration of a small separate fund established to provide pensions for former judges of the Permanent Court.

### *International Labour Organization*

The International Labour Organization was established as a part of the League of Nations; it has been financed through the budget of the League, and its buildings and other assets were held in the name of the League. It was necessary, therefore, for the Assembly, in order to provide for the continued existence of the I.L.O., to take steps to separate the I.L.O. from the League and to make it clear that the dissolution of the League did not bring with it the end of the I.L.O. Under the "Common Plan" agreed by the United Nations and the League of Nations it was provided that the League should take steps to separate the interests of the I.L.O. from the assets of the League. In the resolution providing for the dissolution of the League it was specified that its adoption "shall not in any way prejudice the continued existence of the International Labour Office or the measures taken or to be taken by the International Labour Organization to make in its Constitution such changes as may be required as the result of the dissolution of the League".

Ancillary steps to establish and protect the rights of the I.L.O. in certain League funds and in the land and buildings occupied by it were also authorized by the Assembly. Among the funds in which the I.L.O. had a joint interest was the Working Capital Fund of the League, a fund contributed and owned by member states with the purpose of ensuring that the League Treasury should be able to meet current obligations during the early part of each year before the contributions of that year had been received. It was decided to transfer the remaining portion of the Working Capital Fund (about half of which had been used to meet deficits during the war) to the I.L.O., subject to the right to repayment of the shares contributed by each state.

The effect of these decisions was to establish the I.L.O. as the proprietor of its grounds and specially constructed buildings in Geneva and to furnish it with sufficient funds for its operation until other provisions for financing the I.L.O. have been agreed. The separation of the interests of the I.L.O. from those of the League in no way prejudices the question of the association of the I.L.O. with the United Nations, and is, indeed, an essential step to that end.

#### *Distribution of League Assets*

The remaining assets of the League are of two classes, the material assets consisting wholly of lands, buildings, furniture, equipment, books, etc., in Geneva tentatively valued at above 45 million Swiss francs, and liquid assets in the form of bank balances and other holdings readily convertible into cash. Under the "Common Plan" the United Nations agreed to receive from the League of Nations on or about August 1, 1946, the material assets of the League. The League is to determine the share in the total credit established for these material assets of each State Member of the League entitled to participate. The United Nations is to pay for the assets by crediting these shares in its books to those League states which are members of the United Nations. Thus Canada will in due course be credited in the books of the United Nations with the Canadian share of the value of the material assets, and it is assumed that this amount will be deducted from the Canadian contribution to the United Nations, probably over a period of several years.

Any balances remaining in the liquid assets after the liquidation of the League is complete will be distributed direct to the States Members of the League by the Board of Liquidation referred to below.

It was necessary at the Assembly to develop and approve a detailed scheme of distribution. The basic feature of this scheme is that the shares of States Members in all the assets "should be based upon a table showing the proportion that the contributions paid by each State Member bear to the total contributions received by the League since its inception." It was agreed, however, that there should be deducted the amount of its indebtedness from the share of any member whose contributions were in arrears at final liquidation.

As nearly all the contributions due in 1946 have still to be paid and as states in arrears are free to pay their debts to the League up to the end of this year, it was not possible for the Assembly to agree on the exact percentages of each member. Canada will have the fourth largest claim, ranking next after the United Kingdom, France and India, and the Canadian share should be somewhat in excess of 6 per cent of the value of assets.



Certain States Members of the League are not members of the United Nations, including Sweden, Switzerland, Ireland and Portugal, all of whom have an undeniable right to share in the distribution of the assets. It was necessary for the Assembly to make special provision covering these cases by authorizing the Board of Liquidation to hold their shares in the material assets in suspense or to deal with them otherwise under arrangements made with each state.

It was decided that participation in the assets of the League should be limited to states at present members of the League. This decision excluded from participation all the states which had resigned from the League. It was felt that a state which had of its own choice renounced the privileges and obligations of membership could not later advance a claim to share in the remaining assets. Some consideration was given to the special position of the Soviet Union, which by a resolution of the League Council of December 14, 1939, was held to be no longer a member of the League in view of the action taken by the Soviet Union against Finland. Proposals put forward in committee by the French, Polish and Czechoslovak delegations that the U.S.S.R. should be included in the distribution of the League assets were referred to a sub-committee. The sub-committee reported that any change in the scheme for the distribution of the assets so as to provide for the inclusion of the Soviet Union would create technical difficulties of so serious a character as to be practically insurmountable. It suggested that the essential purpose of the proposal would be fulfilled if the Assembly were to place on record its recognition of the fundamental contribution of the Soviet Union to victory in the war and to welcome the collaboration of the Soviet Union in the new international system. A resolution to this effect was approved unanimously by the Assembly.

### *Board of Liquidation*

It was deemed essential that provision should be made by the Assembly for the control by a representative board of the liquidation of the League. It is expected that this liquidation will be completed early in 1947. The material assets are to be transferred to the United Nations about August 1, and arrangements for the transfer of the Staff Pensions Fund and certain other joint agencies to the I.L.O. will, it is hoped, be in effect before the end of this year. There will be numerous minor obligations to discharge before the accounts of the League can be closed. To preside over this process the Assembly appointed a board of nine members to represent the League and gave it full power to take appropriate measures to effect the liquidation. The members of the Board, who will receive a small honorarium, are as follows:

M. Emile Charveriat (France)

Sir Atul Chatterjee (India)

M. F. T. Cheng (China)

M. Adolfo Costa du Rels (Bolivia)

M. Carl Joachim Hambro (Norway)

M. Seymour Jacklin (Union of South Africa)—from August 1, 1946.

Sir Cecil H. Kisch (United Kingdom)

Dr. Jaromir Kopecky (Czechoslovakia)

M. Daniel Secretan (Switzerland)

The Board was instructed to make a report to members of the League as soon as possible after the transfer of the material assets to the United Nations and every three months thereafter and to take account of any observations made on these reports. It will submit a final report to the governments on the completion of its task, and declare itself to be dissolved. On its dissolution the liquidation will be complete and no further claims against the League will be recognized.

The various provisions necessary for effecting liquidation were incorporated in a lengthy resolution which was adopted by the Assembly at its final meeting on April 18th. This resolution began with the following paragraph:

“With effect from the day following the close of the present session of the Assembly, the League of Nations shall cease to exist except for the sole purpose of the liquidation of its affairs as provided in the present resolution.”

The Covenant contained no procedure for its denunciation by member states, and the only available method whereby the League could be dissolved and its members released from their obligations under the Covenant was through the passage of a unanimous resolution. On a rollcall vote on the resolution all delegations responded affirmatively. Thus the League of Nations ceased to exist from Good Friday, April 19th, 1946.

H. H. WRONG.  
ALFRED RIVE.

## ANNEX A

### COMMON PLAN FOR THE TRANSFER OF LEAGUE OF NATIONS ASSETS ESTABLISHED BY THE UNITED NATIONS COMMITTEE AND THE SUPERVISORY COMMISSION OF THE LEAGUE OF NATIONS

1. The League of Nations agrees to transfer to the United Nations, and the United Nations agrees to receive on or about August 1, 1946, the precise date to be determined by the administrative authorities of the two Organizations, all material assets of the League of Nations shown in column I of the attached Schedule <sup>(1)</sup> at the valuation shown in column II.

The League of Nations agrees that the shares in the total credit thus established shall be distributed between States entitled to participate, in accordance with percentages to be laid down by the League at its next Assembly.

The United Nations agrees:

(a) That the shares, thus established, of such of these States as are Members of the United Nations shall be credited <sup>(2)</sup> to them respectively in the books of the United Nations; and

(b) That the General Assembly shall decide on the purposes to which these credits shall be applied and on the dates on which they shall be so applied; and further that these credits shall in any event begin to be available not later than December 31, 1948.

The United Nations further agrees:

(a) That the International Labour Organization may use the Assembly Hall, together with the necessary committee rooms, office accommodation and other facilities connected therewith at times and on financial terms to be agreed from time to time between the United Nations and the International Labour Organization;

(b) That the International Labour Organization may use the Library under the same conditions as other official users thereof.

2. The League of Nations shall take steps to discharge all its obligations as soon as practicable.

1. Not printed.

2. These credits shall be translated into dollar currency at the rate effective on the day of transfer of the material assets referred to in paragraph 1.



3. The League of Nations shall take steps to settle the question of contributions of Member States in arrears.

4. The League of Nations shall take steps to separate the interests of the International Labour Organization in the assets of the League, before transfer to the United Nations. It is understood that the International Labour Organization building at Geneva will be transferred to that Organization.

5. Any ex-officials of the League of Nations subsequently engaged by the United Nations shall enter service under conditions of employment established by the United Nations, and it will be for the League of Nations to take the necessary steps to make this possible.

6. It is understood that the League of Nations shall make arrangements, independently of the United Nations, with regard to the continued administration of the Staff Pensions Fund and with regard to the pensions of the Judges of the Permanent Court of International Justice.

7. When the League has discharged all its obligations and made the necessary dispositions concerning the Working Capital Fund and regarding outstanding contributions, the remaining liquid assets shall be credited or distributed to Members of the League under a scheme to be determined by it.

8. Both the United Nations and the League of Nations shall authorize competent authorities to make any necessary agreements with the Swiss Authorities on all matters connected with the transfer of assets of the League of Nations to the United Nations.

## ANNEX B

### EXTRACTS FROM ADDRESS MADE BY MR. HUME WRONG DURING THE DISCUSSION OF THE REPORT OF THE ACTING SECRETARY GENERAL ON APRIL 10, 1946

In reading the report of the Acting Secretary-General, one cannot fail to be impressed by the extent and variety of the work which was accomplished in spite of all difficulties during the war by the League organizations both here and abroad. In the opening paragraphs of his report, to which several other speakers have already referred, Mr. Lester has recorded with eloquence and clarity the tragedy of the breach of the Covenant. Catastrophe came upon the world; nevertheless the League was kept alive and has been able to carry on a surprising range of useful activities.

Canada has been one of the small group of States Members of the League of Nations which by paying their full contributions as they fell due have persistently shown their belief that the League must survive through the years of war. The alternative was to let the League die from lack of nourishment, so that it would have disappeared in fact before any steps had been taken to create a new international organization to which the torch lighted here in Geneva could be passed. The decision of the Governments which maintained their support of the League during the war—and it was not always an easy decision, in the midst of the overwhelming pressures and demands of the war—has been amply justified by events.

It was not, however, the technical activities of the Secretariat during the war, valuable though these were, that provided the real justification for keeping the League in being until to-day. If the League had been allowed to die from neglect, it would have been considerably more difficult from both the material and the moral point of view to establish the United Nations. The United Nations organization is not the legal heir of the League, but it is its moral successor; and the States Members of the League who have taken a share in the foundation of the United Nations have not only drawn on an ample heritage of experience from Geneva but have felt that they had themselves a debt to pay and a cause to redeem.

This is not an occasion for lamentation or excuse. It is not an occasion for regrets for past errors or for expressions of confidence that the nations of the world have profited from experience. It is

chiefly an occasion for heart searching. The United Nations Organization is faced to-day with exactly the same central problem that faced the League of Nations over twenty-five years ago: Are the nations and the governments that speak for them ready to accept, in judgment on their own actions, "the decent opinion of mankind" expressed through a general international organization?

The United Nations starts with an enormous advantage that the League never had: there is no powerful state left outside. In its operations and decisions there is less reason for caution than there ever was in the case of the League. All the countries possessing substantial power to-day are members of the United Nations. But the question remains which, with greater justification, haunted the meeting rooms and corridors of Geneva: Have they the will to use their power to support the principles and procedures of the Charter?

Until that will is manifest in action, until we can see from experience that the machinery can be made to work as it was meant to work, until we can be sure that the latest dread lesson, the lesson of the atomic bomb, has imprinted itself more deeply in the minds of men, we cannot relax our vigilance or feel secure.

There has been talk, and talk from high quarters, of the need for a surrender of national sovereignty. This means that in certain respects, in certain very limited but very important respects, sovereign power should be transferred from national governments to a supra-national authority which all must be prepared to obey. That is a high and fine aim. It is not however, an aim which can be attained by starting off now on a new effort at constitution making. Before we can usefully consider what form such a supra-national authority might take, there must be evidence *de facto* of willingness to renounce some attributes of national sovereignty. When, and only when, it has been proved in practice that the existing international organization commands within its field of action the loyalty and obedience of its members, can serious consideration be given to preparing a new Covenant or Charter which would create *de jure* an international government. I fear, looking round the world today, that all this is a long way ahead.

The troubles of the world are not, and never have been, at bottom a question of the nature of the existing international machinery, of the processes whereby issues are brought forward for discussion and settlement, of the Covenant or the Charter of the rule of unanimity or the veto power. What the League of Nations could do, and what the United Nations can do, was and is what the States Members agree should be done. The League of itself could accomplish nothing. The United Nations of itself can accomplish nothing. Both are instruments for collective action of their states members.



We must seek to avoid that mischievous fallacy which at times in the past led many people to make excuses for the inaction of their own governments on the ground that the question at issue was one for the League to settle. More cannot come out of any international organization than its members are ready to put into it.

Here, in the last hours of the League, we must pay tribute to what was done in Geneva. We must applaud the great men who strove to make the acceptance of the Covenant the beginning of a new era in the relations of country to country. Some of that select and gallant band are here today. Much was accomplished in many fields, in the two tortuous, tumultuous decades between the wars.

Now in 1946 we have less confidence that the Charter will succeed than we had in 1919 that the Covenant would succeed. Those who have lived through the terrors and glories of two great wars are bound to be disillusioned. Disillusionment, in its literal sense of the absence of illusions, is a good thing. It should mean that we see more clearly, not that we have lost hope. In the ancient and gloomy Greek legend, when Pandora's box was opened only hope remained inside to sustain mankind through the trials of life. Certainly in the last seven years a Pandora's box of evils to plague the human race has been loosed on the world. We must nevertheless, keep the hope and faith of the founders of the League of Nations that we can, by concerted effort, banish from the earth the most irrational of human pursuits, the waging of war.



## CONFERENCE SERIES, 1945

- No. 1. First Report to the Governments of the United Nations by the Interim Commission on Food and Agriculture. Pp. 44.
- No. 2. Report on the United Nations Conference on International Organisation held at San Francisco, 25th April-26th June, 1945. Pp. 138.
- No. 3. Proposals for Expansion of World Trade and Employment communicated by the United States Government, together with the text of the Financial Agreement between the United Kingdom and the United States signed at Washington on December 6, 1945, and Related Documents. Pp. 34.

## CONFERENCE SERIES, 1946

- No. 1. Report on the First Part of the First Session of the General Assembly of the United Nations held in London, January 10-February 14, 1946. Pp. 96.









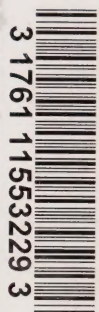












3 1761 11553229 3